



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

साप्ताहिक
WEEKLY

सं. 17]

नई दिल्ली, अप्रैल 22—अप्रैल 28, 2007; शनिवार/वैशाख 2—वैशाख 8, 1929

No. 17]

NEW DELHI, APRIL 22—APRIL 28, 2007, SATURDAY/VAISAKHA 2—VAISAKHA 8, 1929

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पुस्तक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)

PART II—Section 3—Sub-section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विज्ञापन मंत्रालय

(राजपत्र विभाग)

(केन्द्रीय प्रकाशक कार्यालय)

नई दिल्ली, 28 मार्च, 2007

क्र.अ. 1138—सर्वसाधारण की जानकारी के लिए यह अधिसूचना प्रकाशित की जा रही है कि कोयला सरकार अधिनियम, 1962 (विकास विभाग) के नियम 54 और 55 के साथ पठित आयकर अधिनियम, 1961 (विकास अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) प्रमाणपत्र 1-4-2004 से संगठन इंडर-कॉन्ट्रिब्यूटरी सेंटर फॉर एस्ट्रोनॉमिकल, बुने को नियमित रूप से अर्थी आर्थिक रूप से अनुसंधान कार्यक्रमों में सभी 'अन्य संस्था' की श्रेणी में अनुमोदित करती है, अर्थात् :-

(i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;

(ii) अनुमोदित संगठन अपने वार्षिक सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;

(iii) अनुमोदित संगठन बड़ी-छोटी उद्योग तथा उद्यम अधिनियम की धारा 288 की उप धारा (2) के समीक्षण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा करवाएगा और उक्त अधिनियम की धारा 139 की उपधारा (1) के अंतर्गत आम विवरण प्रस्तुत करने की निश्चित तिथि तक ऐसे लेखाकार द्वारा विनिर्दिष्ट स्वरूपित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मजदूरी में कोयला सरकार रखने वाली स्थापना अनुसंधान अथवा अन्य कार्यक्रमों को प्रस्तुत करेगा।

(iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त राशि तथा प्रत्यक्ष राशि का अलग विवरण, उद्योग और उद्यम लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षा द्वारा विनिर्दिष्ट स्वरूपित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन कार्यवाही से संबंधित अनुमोदित संगठन :-

(क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा

- (ख) पैराग्राफ 1 में उक्त पैराग्राफ (iii) में उल्लिखित अपनी लेखा बही खाता रखेगा तथा उक्त लेखा बही खाता नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के अन्तर्गत पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को आयकर नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमों के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ 1-4-2005 से संगठन इंडियन कैसर सोसायटी, मुम्बई-400012 को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में तृती 'अन्य संस्था' की श्रेणी में प्रत्यक्ष करती है, अर्थात् :-

[अधिसूचना सं. 89/2007/फ. सं. 203/15/2006-आ.क.नि.-II]

रेनू जौहरी, निदेशक

MINISTRY OF FINANCE

(Department of Revenue)

(Central Board of Direct Taxes)

New Delhi, the 28th March, 2007

S.O.1138. It is hereby notified for general information that the organization Inter-University Centre for Astronomy & Astrophysics, Pune has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2004 in the category of 'other institutions' partly engaged in research activities subject to the following conditions, namely:—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as provided in the explanation to sub-section (2) of Section 35 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, on the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement as certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 89/2007/F. No. 203/15/2006-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1139.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ 1-4-2005 से संगठन इंडियन कैसर सोसायटी, मुम्बई-400012 को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में तृती 'अन्य संस्था' की श्रेणी में प्रत्यक्ष करती है, अर्थात् :-

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उपधारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उपधारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (i) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 100/2007/फा. सं. 203/16/2006-आ.क.नि.-II]

रेनु जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O.1139.—It is hereby notified for general information that the organization Indian Cancer Society, Mumbai-400012 has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2005 in the category of "other Institution", partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 100/2007/F. No. 203/16/2006-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1140.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) प्रयोजनार्थ 1-4-2004 से संगठन दि ऑटोमोटिव रिसर्च एसोसिएशन ऑफ इंडिया, पुणे को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित करती है, अर्थात् :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उपधारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की निश्चित तिथि तक ऐसे लेखाकार द्वारा विनिश्चित सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विनिश्चित सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 90/2007/फा. सं. 203/18/2005-आ.क.नि.-II]

रेनू जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O. 1140—It is hereby notified for general information that the organization The Automotive Research Association of India, Pune has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-Tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2004 in the category of "other Institution, partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 90/2007/F. No. 203/18/2005-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1141—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) प्रयोजनार्थ 1-4-2004 से संगठन श्री अरबिन्दो आश्रम ट्रस्ट, पोस्ट ऑफिस अरबिन्दो आश्रम, पांडिचेरी-605 002 को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित करती है, अर्थात् :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उपधारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. The Central Government shall withdraw the approval if the approved organization :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा नहीं नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को आरंभ नहीं याता जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

- (a) fails to maintain books of accounts referred to in sub-paragraph (ii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of Sub-section (1) of Section 35 of the said Act read with Rules 5C and 5D of the said Rules.

RENU JAHLIEL Director

रेनु जौहरी, निदेशक

नई दिल्ली, 28 मार्च, 2007

S.O. 1141.—It is hereby notified for general information that the organization Sri Aurobindo Ashram Trust, Post Office Sri Aurobindo Ashram, Pondicherry-605 002 has been approved by the Central Government for the purpose of clause (ii) of Sub-section (1) of Section 35 of the Income-Tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2004 in the category of 'other Institution', partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to Sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under Sub-section (1) of Section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

कर.अ. 1142--सर्वसाधारण की आयकरों के लिए यह अधिनियमित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ उचित आयकर अधिनियम, 1961 (उक्त अधिनियम) को कक्षा 25 की उप-कक्षा (1) के तहत (ii) प्रवर्गक 1-4-2003 में संशोधित कर, कानूनमन्त्रालय केन्द्र, मुम्बई को निम्नलिखित शर्तों के अधीन अतिरिक्त रूप से अनुसंधान कार्यकलापों में लगी 'अल्प संसाधन' की श्रेणी में अनुमोदित करती है, अर्थात् :-

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संचालन संबंधी अथवा अपनी प्रभावित छात्रों के कल्याण से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन यही-सात अक्षर 'आय' अथवा 'अधिष्ठापन' की यात्रा 200 की उप-धारा (2) के अन्तर्गत में एक परिष्कृत किसी लेखाकार से अपनी सात-यही की लेखा परीक्षा करायें और तथा अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत अब विवरणों प्रस्तुत करने की नियत विधि तक ऐसे लेखाकार द्वारा विधिकृत सत्यापित एवं इस्तमरित लेखा परीक्षा रिपोर्ट प्राप्तों में लेखाधिकार रखने वाले अधिकार आनुवंशिक अथवा आधिकार विदेशक को प्रस्तुत करेगा ।
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त राशि तथा प्रयुक्त राशि का अथवा विवरण रखेगा और अनुसंधान लेखा परीक्षा रिपोर्ट को तथा लेखा परीक्षा द्वारा विधिकृत सत्यापित विवरण भी प्रति प्रस्तुत करेगा ।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (ii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य बन्द कर देगा अथवा इसके अनुसंधान कार्य को आधारा नहीं बना जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5C और 5D के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के अंतर्गत की अन्तर्गत नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 99/2007/ए.आ.आ. 2005-आ.क.नि.-II]

रेनु जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O. 1142.— It is hereby notified for general information that the organization *Mumbai Foundation for Health Care, Mumbai* has been approved by the Central Government for the purpose of clause (ii) of Sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), with effect from 1st April 2005, in the category of 'other Institution', purely engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research.
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students.
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to Sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the area, by the due date of furnishing the return of income under Sub-section (1) of Section 139 of the said Act.
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (ii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of Sub-section (1) of Section 35 of the said Act read with Rules 5C and 5D of the said Rules.

[Notification No. 99/2007/E, No. 203/35/2005-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1143.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5C और 5D के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) प्रयोजनार्थ 1-4-2005 से संगठन मैसर्स इंडियन इंस्टीट्यूट ऑफ हेल्थ मैनेजमेंट रिसर्च, जयपुर को निम्नलिखित शर्तों के अधीन 'वैज्ञानिक अनुसंधान संघ' की श्रेणी में अनुमोदित करती है, अर्थात् :—

- (i) अनुमोदित 'वैज्ञानिक अनुसंधान संघ' का एकमात्र उद्देश्य वैज्ञानिक अनुसंधान करना होगा;
- (ii) अनुमोदित संगठन स्वयं ही वैज्ञानिक अनुसंधान का कार्य-कलाप करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसका अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 85/2007/फा. सं. 203/35/2006-आ.क.नि.-II]

रेनु जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O. 1143.— It is hereby notified for general information that the organization Indian Institute of Health Management Research, Jaipur has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2005 in the category of 'Scientific Research Association', subject to the following conditions, namely :—

- (i) The sole objective of the approved 'scientific research association' shall be to undertake scientific research;
- (ii) The approved organization shall carry on the scientific research activity by itself;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and amounts applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 85/2007/F. No. 203/35/2006-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1144.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) प्रयोजनार्थ 1-4-2005 से संगठन दि आर्य वैद्य शाला, पी.ओ. कोट्यकल, केरल को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित करती है, अर्थात् :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा करायगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा;
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 95/2007/फा. सं. 203/40/2006-आ.क.नि.-II]

रेनू जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O. 1144.— It is hereby notified for general information that the organization The Arya Vaidya Sala, P.O. Kottakal, Kerala has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2005 in the category of 'Other Institution', partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 95/2007/F. No. 203/40/2006-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1145.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) प्रयोजनार्थ 1-4-2003 से संगठन इंडियन नेशनल साइंस एकेडेमी, बहादुर शाह जफर मार्ग, नई दिल्ली-110002 को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित करती है, अर्थात् :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उपधारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा ;
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :—

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उपधारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 87/2007/फा. सं. 203/42/2005-आ.क.नि.-II]

रेनू जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O. 1145.— It is hereby notified for general information that the organization Indian National Science Academy, Bahadur Shah Zafar Marg, New Delhi-110002 has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-Tax Act, 1961 (said Act), read with Rules 5C and 5D of the Income-tax Rules, 1962 (said Rules), with effect from 1-4-2003 in the category of 'Other Institution', partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 87/2007/F.No. 203/42/2005-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1146.—सर्वसाधारण की जानकारी के लिए यह अधि सूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनार्थ 1-4-2005 के संगठन महत्सङ्ग आयबिटीज रिसर्च फाउंडेशन, चेन्नई को निम्नलिखित शर्तों के अधीन 'वैज्ञानिक अनुसंधान संघ' की श्रेणी में अनुमोदित करती है, अर्थात् :—

- (i) अनुमोदित 'वैज्ञानिक अनुसंधान संघ' का एक मात्र उद्देश्य वैज्ञानिक अनुसंधान करना होगा;
- (ii) अनुमोदित संगठन स्वयं ही वैज्ञानिक अनुसंधान का कार्यकलाप करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय-विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 84/2007/फा. सं. 203/42/2006-आ.क. नि.-II]

रेनू जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O. 1146.—It is hereby notified for general information that the organization **Madras Diabetes Research Foundation, Chennai** has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5D of the Income-tax Rules, 1962 (said Rules) with effect from 01-04-2005 in the category of 'scientific research association' subject to the following conditions, namely :—

- (i) The sole objective of the approved 'scientific research association' shall be to undertake scientific research;
- (ii) The approved organization shall carry on the scientific research activity by itself;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a

copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and amounts applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 84/2007/F.No. 203/42/2006-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1147.—सर्वसाधारण की जानकारी के लिए यह अधि सूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनार्थ 1-4-2005 के संगठन अशोका ट्रस्ट फॉर रिसर्च इन इकोलोजी एंड दि एन्वायरनमेंट, बंगलौर को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित करती है, अर्थात:-

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;
- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में

क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।

- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिकृत स्थापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 86/2007/फा. सं. 203/43/2005-आ.क. नि.-II]

रेनु जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O. 1147.—It is hereby notified for general information that the organization Ashoka Trust for Research in Ecology and the Environment, Bangalore has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5D of the Income-tax Rules, 1962 (said Rules) with effect from 01-04-2005 in the category of 'other Institution' party engaged in research activities subject to the following conditions, namely:—

- (i) The sums paid to the approved organisation shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of accounts and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288

of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;

- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization:

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 86/2007/F. No. 203/43/2005-ITA-II]

RENU JAUHRI, Director

नई दिल्ली, 28 मार्च, 2007

का.आ. 1148.—सर्वसाधारण की जानकारी के लिए यह अधि सूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5घ के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उप-धारा (1) के खंड (ii) के प्रयोजनार्थ 1-4-2005 से संगठन आशुकी ट्रस्टी संगीत रिसर्च एकेडमी, बंगलूरु को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगी 'अन्य संस्था' की श्रेणी में अनुमोदित करती है, अर्थात:-

- (i) अनुमोदित संगठन को प्राप्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा;
- (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा;

- (iii) अनुमोदित संगठन बही-खाता रखेगा तथा उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से अपनी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथी तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा।
- (iv) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि अनुमोदित संगठन :-

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त एवं प्रयुक्त दान का अपना विवरण प्रस्तुत नहीं करेगा; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5घ के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा।

[अधिसूचना सं. 101/2007/फा. सं. 203/50/2006-आ. क. नि.-II]

रेनू जौहरी, निदेशक

New Delhi, the 28th March, 2007

S.O. 1148.—It is hereby notified for general information that the organization **ITC Sangeet Research Academy, Kolkata** has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with rules 5C and 5D of the Income-tax Rules, 1962 (said Rules) with effect from 01-04-2005 in the category of 'other Institution' partly engaged in research activities subject to the following conditions, namely:—

- (i) The sums paid to the approved organization shall be utilized for scientific research;

- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain books of account and get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :—

- (a) fails to maintain books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (b) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (c) fails to furnish its statement of donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (d) ceases to carry on its research activities or its research activities are not found to be genuine; or
- (e) ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5D of the said Rules.

[Notification No. 101/2007/F. No. 203/50/2006-ITA-II]

RENU JAUHRI, Director

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 17 अप्रैल, 2007

का. आ. 1149.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, 01 जून, 2006 के भारत के राजपत्र के भाग II, खण्ड 3, उप-खण्ड (ii) में भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की

01 जून, 2006 के का. आ. सं. 843(अ) के तहत प्रकाशित अधिसूचना में निम्नलिखित संशोधन करती है, नामतः—

उपर्युक्त अधिसूचना में पैरा 8 के “होशंगाबाद, रायसेन, हर्दा, छिंदवाड़ा, सियोनी, मंडला, बालाघाट, दिन्दोरी, शहडोल, उमरिया, तथा अनुपुर” शब्दों के स्थान पर “होशंगाबाद, रायसेन, हर्दा, छिंदवाड़ा, गियोनी, मंडला, बालाघाट, दिन्दोरी, शहडोल, उमरिया, अनुपुर तथा बेतुल” शब्द प्रतिस्थापित किए जाएंगे।

[फा. सं. 7/22/2006-आरआरबी]

एम. के. मल्होत्रा, अवर सचिव

टिप्पणी : मूल अधिसूचना दिनांक 1 जून, 2006 को भारत के राजपत्र के भाग-II, खंड 3, उप-खंड (ii) असाधारण में का. आ. सं. 843(अ) के तहत प्रकाशित की गई थी।

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 17th April, 2007

S. O. 1149.—In exercise of the powers conferred by sub-section (1) of the Section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance, Department of Economic Affairs (Banking Division) number S. O. 843(E) dated the 1st June, 2006 published in the Gazette of India, Part II, Section 3, sub-section (ii), namely :—

In the said notification, in paragraph 8, for the words “Hoshangabad, Raisen, Harda, Chhindwara, Seoni, Mandla, Balaghat, Dindori, Shadol, Umari and Anoopur”, the words “Hoshangabad, Raisen, Harda, Chhindwara, Seoni, Mandla, Balaghat, Dindori, Shadol, Umari, Anoopur and Betul” shall be substituted.

[F. No. 7/22/2006-RRB]

M. K. MALHOTRA, Under Secy.

Footnote : The principal notification was published vide number S. O. 843 (E) dated the 1st June, 2006 in the Gazette of India, Part II, Section 3 Sub-section (ii), Extraordinary.

नई दिल्ली, 17 अप्रैल, 2007

का. आ. 1150.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, 12 सितम्बर, 2005 के भारत के राजपत्र के भाग II, खण्ड 3, उपखण्ड (ii) में भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की 12 सितम्बर, 2005 के का. आ. सं. 1265 (अ), के तहत प्रकाशित अधिसूचना में निम्नलिखित संशोधन करती है, नामतः—

उपर्युक्त अधिसूचना में पैरा 8 के “होशियारपुर, रोपड़, नर्वाँशहर, कपूरथला, मोगा, फिरोजपुर, गुरदासपुर तथा अमृतसर” शब्दों के स्थान पर “होशियारपुर, रोपड़, नर्वाँशहर, कपूरथला, मोगा,

फिरोजपुर, गुरदासपुर, अमृतसर तथा जालन्धर” शब्द प्रतिस्थापित किए जाएंगे।

[फा. सं. 7/5/2006-आरआरबी]

एम. के. मल्होत्रा, अवर सचिव

टिप्पणी : मूल अधिसूचना दिनांक 12 सितम्बर, 2005 को भारत के असाधारण राजपत्र के भाग-II, खंड 3, उप-खंड (ii) में सं. का. आ. 1265(अ) के तहत प्रकाशित की गई थी।

New Delhi, the 17th April, 2007

S. O. 1150.—In exercise of the powers conferred by Sub-section (1) of the Section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance, Department of Economic Affairs (Banking Division) number S. O. 1265(E) dated the 12th September, 2005 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 12th September, 2005 namely :

In the said notification, in paragraph 8, for the words “Hoshiarpur, Ropar, Nawanshahr, Kapurthala, Moga, Ferozpur, Gurdaspur and Amritsar”, The words “Hoshiarpur, Ropar, Nawanshahr, Kapurthala, Moga, Ferozpur, Gurdaspur, Amritsar, and Jalandhar” shall be substituted.

[F. No. 7/5/2006-RRB]

M. K. MALHOTRA, Under Secy.

Footnote : The principal notification was published vide number S. O. 1265 (E) dated the 12th September 2005 in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii).

नई दिल्ली, 18 अप्रैल, 2007

का. आ. 1151.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, 21 दिसम्बर, 2005 के भारत के राजपत्र के भाग II, खण्ड 3, उप-खण्ड (ii) में भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की 21 दिसम्बर, 2005 के का. आ. सं. 1791(अ) के तहत प्रकाशित अधिसूचना में निम्नलिखित संशोधन करती है, नामतः—

उपर्युक्त अधिसूचना में पैरा 8 के “भिवानी, हिसार, झज्जर, महेन्द्रगढ़, रेवाड़ी, रोहतक, फतेहाबाद, सिरसा, अम्बाला, कैथल, कुरुक्षेत्र, पंचकुला, यमुनानगर, जींद और पानीपत” शब्दों के स्थान पर “भिवानी, हिसार, झज्जर, महेन्द्रगढ़, रेवाड़ी, रोहतक, फतेहाबाद, सिरसा, अम्बाला, कैथल, कुरुक्षेत्र, पंचकुला, यमुनानगर, जींद पानीपत और करनाल” शब्द प्रतिस्थापित किए जाएंगे।

[फा. सं. 7/4/2006-आरआरबी]

एम. के. मल्होत्रा, अवर सचिव

टिप्पणी : मूल अधिसूचना दिनांक 21 दिसम्बर, 2005 को भारत के राजपत्र के भाग-II, खंड 3, उपखंड (ii) में का. आ. सं. 1791(अ) के तहत प्रकाशित की गई थी।

New Delhi, the 18th April, 2007

S. O. 1151.—In exercise of the powers conferred by sub-section (1) of the Section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance, Department of Economic Affairs (Banking Division) number S. O. 1791(E) dated the 21st December, 2005 published in the Gazette of India Part II, Section 3, Sub-section (ii) dated the 21st December, 2005 namely :—

In the said notification, in paragraph 8, for the words “Bhiwani, Hissar, Jhajjar, Mahendragrah, Rewari, Rohtak, Fatehabad, Sirsa, Ambala, Kaithal, Kurukshetra, Panchkula, Yamuna Nagar, Jind and Panipat”. The words “Bhiwani, Hissar, Jhajjar, Mahendragrah, Rewari, Rohtak, Fatehabad, Sirsa, Ambala, Kaithal, Kurukshetra, Panchkula, Yamuna Nagar, Jind, Panipat and Karnal” shall be substituted.

[F. No. 7/4/2006-RRB]

M. K. MAHOTRA, Under Secy.

Footnote : The principal notification was published vide number S. O. 1791 (E) dated the 21st December, 2005 in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (ii).

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 16 अप्रैल, 2007

का. आ. 1152.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) (ख) के उपबंध के अनुसरण में डॉ. एच. पी. भालोदिया, प्रोफेसर, अस्थि रोग विभाग, बी. जे. मेडिकल कालेज, अहमदाबाद सदस्य कायचिकित्सा संकाय, गुजरात विश्वविद्यालय को इस अधिसूचना के जारी होने की तारीख से पांच वर्षों की अवधि के लिए गुजरात विश्वविद्यालय के कोर्ट द्वारा भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया है।

अतः अब, उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबंध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय को दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का.आ. 138 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्षक के अंतर्गत क्रम संख्या 11 के सामने निम्नलिखित प्रविष्टियाँ प्रतिस्थापित की जाएंगी, अर्थात्:—

“11 डॉ. एच. पी. भालोदिया, गुजरात विश्वविद्यालय”
प्रोफेसर,
अस्थि रोग विभाग,
बी. जे. मेडिकल कालेज,
अहमदाबाद

[सं. वी. 11013/2/2006-एम ई (नीति-I)]

टी. जे. एस. चावला, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 16th April, 2007

S. O. 1152.—Whereas in pursuance of the provision of Sub-section (1) (b) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. H. P. Bhalodiya, Professor, Department of Orthopedics, B. J. Medical College, Ahmedabad member of the faculty of medicine, Gujarat University has been elected by the Court of Gujarat University to be a member of the Medical Council of India for five years with effect from date of issue of this notification.

Now, therefore, in pursuance of the provision of sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India, in the then Ministry of Health number S.O. 138 dated the 9th January, 1960, namely:—

In the said Notification, under the heading, “Elected under clause (b) of sub-section (1) of Section 3”, against serial number 11, the following entries shall be substituted, namely:—

“11. Dr. H. P. Bhalodiya Gujarat University”
Professor
Department of Orthopedics
B. J. Medical College
Ahmedabad

[No. V-11013/2/2006-ME(P-I)]

T. J. S. CHAWLA, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

का. आ. 1153.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) (ख) के उपबंध के अनुसरण में डॉ. निर्भय श्रीवास्तव, प्रोफेसर एवं प्रमुख, अस्थि रोग विभाग, गांधी मेडिकल कालेज, भोपाल, सदस्य कायचिकित्सा संकाय, बरकतुल्ला विश्वविद्यालय को इस अधिसूचना के जारी होने की तारीख से पांच वर्षों की अवधि के लिए बरकतुल्ला विश्वविद्यालय के कोर्ट द्वारा सर्वसम्मति से भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया है।

अतः अब, उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबंध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का.आ. 138 में निम्नलिखित और संशोधन करती, है, अर्थात्:-

उक्त अधिसूचना में "धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित" शीर्षक अंतर्गत क्रम संख्या 71 के सामने निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी अर्थात्:-

"71 डॉ. निर्भय श्रीवास्तव,
प्रोफेसर एवं प्रमुख,
अस्थि रोग विभाग,
गांधी मेडिकल कालेज,
भोपाल

[सं. वी.-11013/6/2006-एम ई (नीति-1)]

टी. जे. एस. चावला, अवर सचिव

New Delhi, the 16th April, 2007

S. O. 1153.—Whereas in pursuance of the provision of sub-section (1) (b) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. Nirbhay Srivastava, Professor and Head Orthopedics Department, Gandhi Medical College, Bhopal member of the faculty of Medicine, Barkatullah University has been elected unanimously by the Court of Barkatullah University to be a member of the Medical Council of India for five years with effect from date of issue of this notification.

Now, therefore, in pursuance of the provision of sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India, in the then Ministry of Health number S.O. 138 dated the 9th January, 1960, namely:-

In the said Notification, under the heading, "Elected under clause (b) of sub-section (1) of Section 3", against serial number 71, the following entries shall be substituted, namely:-

"71. Dr. Nirbhay Srivastava Barkatullah University"
Professor and Head
Orthopedics Department
Gandhi Medical College,
Bhopal

[No. V-11013/6/2006-ME(P-I)]

T. J. S. CHAWLA, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

का. आ. 1154.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) (ख) के

उपबंध के अनुसरण में डा. सी. बी. शुक्ला, प्रोफेसर, सूक्ष्मजीव विज्ञान, एस एस मेडिकल कालेज, रीवा कायचिकित्सा संकाय, अवधेश प्रताप सिंह विश्वविद्यालय को इस अधिसूचना के जारी होने की तारीख से पांच वर्षों की अवधि के लिए अवधेश प्रताप सिंह विश्वविद्यालय के कोर्ट द्वारा भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया है।

अतः अब, उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबंध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का.आ. 138 में निम्नलिखित और संशोधन करती है अर्थात्:-

उक्त अधिसूचना में "धारा 3 की उपधारा (1) के खण्ड (ख) के अधीन निर्वाचित" शीर्षक के अंतर्गत क्रम संख्या 43 के सामने निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी अर्थात्:-

"43 डॉ. सी. बी. शुक्ला,
प्रोफेसर,
सूक्ष्मजीव विज्ञान, एस. एस. मेडिकल
कालेज, रीवा

[सं. वी.-11013/1/2007-एम ई (नीति-1)]

टी. जे. एस. चावला, अवर सचिव

New Delhi, the 16th April, 2007

S. O. 1154.—Whereas in pursuance of the provision of Sub-section (1) (b) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. C. B. Shukla, Professor Microbiology, S. S. Medical College, Rewa member of the faculty of medicine, Awadhesh Pratap Singh University has been elected by the Court of Awadhesh Pratap Singh University to be a member of the Medical Council of India for five years with effect from date of issue of this notification.

Now, therefore, in pursuance of the provision of Sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India, in the then Ministry of Health number S.O. 138 dated the 9th January, 1960, namely:-

In the said Notification, under the heading, "Elected under clause (b) of sub-section (1) of Section 3", against serial number 43, the following entries shall be substituted, namely:-

"43. Dr. C. B. Shukla
Professor Microbiology
S. S. Medical College,
Rewa

Awadhesh Pratap Singh
University"

[No. V-11013/1/2007-ME(P-I)]

T. J. S. CHAWLA, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

का. आ. 1155.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) (ख) के उपबंध के अनुसरण में डा. पी. सुकुमारण, प्रोफेसर, क्षयरोग एवं वक्ष रोग, गवर्नमेंट मेडिकल कोलज, कोट्टायम, कायचिकित्सा संकाय, के सदस्य, महात्मा गांधी विश्वविद्यालय को इस अधिसूचना के जारी होने की तारीख से पांच वर्षों की अवधि के लिए महात्मा गांधी विश्वविद्यालय की सीनेट द्वारा भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया है।

अतः अब, उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबंध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का.आ. 138 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्षक अंतर्गत क्रम संख्या 72 के सामने निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी अर्थात्:—

“72 डा. पी. सुकुमारण, महात्मा गांधी विश्वविद्यालय”
प्रोफेसर, क्षय एवं वक्ष रोग,
गवर्नमेंट मेडिकल कालेज,
कोट्टायम

[सं. वी. 11013/1/2007-एम ई (नीति-1)]

टी. जे. एस. चावला, अवर सचिव

New Delhi, the 16th April, 2007

S. O. 1155.—Whereas in pursuance of the provision of Sub-section (1) (b) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. P. Sukumaran, Professor of TB & Chest Diseases, Government Medical College, Kottayam member of the faculty of medicine, Mahatma Gandhi University has been elected by the senate of Mahatma Gandhi University to be a member of the Medical Council of India for five years with effect from date of issue of this notification.

Now, therefore, in pursuance of the provision of Sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India, in the then Ministry of Health number S.O. 138 dated the 9th January, 1960, namely:—

In the said Notification, under the heading, “Elected under clause (b) of Sub-section (1) of Section 3”, against serial number 72, the following entries shall be substituted, namely:—

“72. Dr. P. Sukumaran
Professor of TB &
Chest Diseases,
Government Medical College,
Kottayam

Mahatma Gandhi
University”

[No. V.-11013/1/2007-ME(P-1)]

T. J. S. CHAWLA, Under Secy.

नई दिल्ली, 17 अप्रैल, 2007

का. आ. 1156.—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) (ख) के उपबंध के अनुसरण में प्रोफेसर आर. सम्बाशिव राव, कुलपति, एन टी आर यूनिवर्सिटी ऑफ हेल्थ साइंसेज, विजयवाड़ा, सदस्य कायचिकित्सा संकाय, एन टी आर यूनिवर्सिटी ऑफ हेल्थ साइंसेज, के इस अधिसूचना के जारी होने की तारीख से पांच वर्षों की अवधि के लिए एन टी आर यूनिवर्सिटी ऑफ हेल्थ साइंसेज की सीनेट द्वारा भारतीय आयुर्विज्ञान परिषद् के एक सदस्य के रूप में निर्वाचित किया गया है।

अतः अब, उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबंध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का.आ. 138 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्षक के अंतर्गत क्रम संख्या 75 के सामने निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात्:—

“75 प्रोफेसर आर. सम्बाशिव
राव, कुलपति,

एन टी आर यूनिवर्सिटी ऑफ
हेल्थ साइंसेज”

एन टी आर यूनिवर्सिटी
ऑफ हेल्थ साइंसेज,
विजयवाड़ा-520008

[सं. वी. 11013/1/2007-एम ई (नीति-1)]

टी. जे. एस. चावला, अवर सचिव

New Delhi, the 17th April, 2007

S. O. 1156.—Whereas in pursuance of the provision of Sub-section (1) (b) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Prof. R. Sambasiva Rao, Vice-Chancellor, NTR University of Health Sciences, Vijayawada member of the faculty of Medicine, NTR University of Health Sciences has been elected by the Senate of the NTR University of Health Sciences to be a member of the Medical Council of India for five years with effect from date of issue of this notification.

Now, therefore, in pursuance of the provision of sub-section (1) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the Notification of the Government of India, in the then Ministry of Health number S.O. 138 dated the 9th January, 1960, namely:—

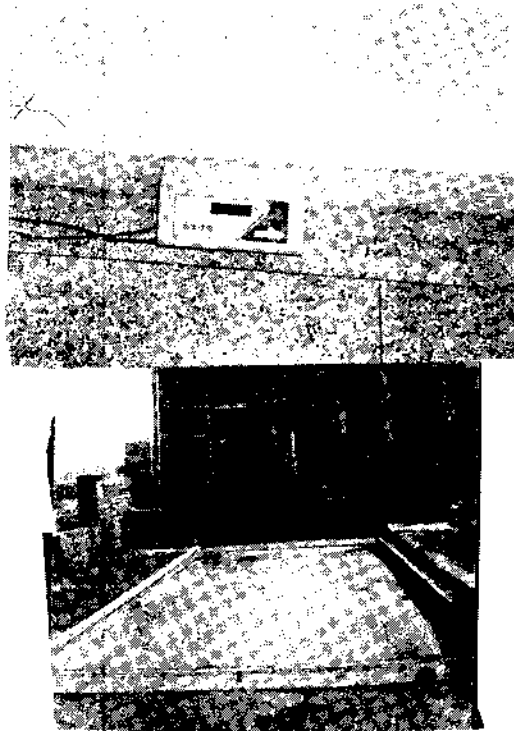
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 12 मार्च, 2007

का.आ. 1159.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गोल्डट्रॉन कम्यूनिकेशन्स प्रा. लि., यूनिट नं. 58, इलेक्ट्रॉनिक सिटी, हारट्रॉन कॉम्प्लेक्स, सेक्टर 18 (पी), गुडगांव- 122015 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'जी टी डब्ल्यू' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (ब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "गोल्डट्रॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/89 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल मल्टी लोड सैल आधारित वे ब्रिज प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 60 टन और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 5 टन से अधिक और 150 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(15)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 12th March, 2007

S.O. 1159.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (weighbridge type) with digital indication of "GTW" series belonging to medium accuracy (Accuracy class III) and with brand name "GOLDTRON" (hereinafter referred to as the said Model), manufactured by M/s. Godtron Communications Pvt. Ltd., Unit No. 58, Electronic City, Hartron Complex, Sector-18(P), Gurgaon-122015, Haryana and which is assigned the approval mark IND/09/07/89;



The said model is a strain gauge type load cell based non-automatic weighing instrument (weighbridge type) with a maximum capacity of 60 tonnes and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 150 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^4 , 2×10^4 or 5×10^4 kg being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model have been manufactured.

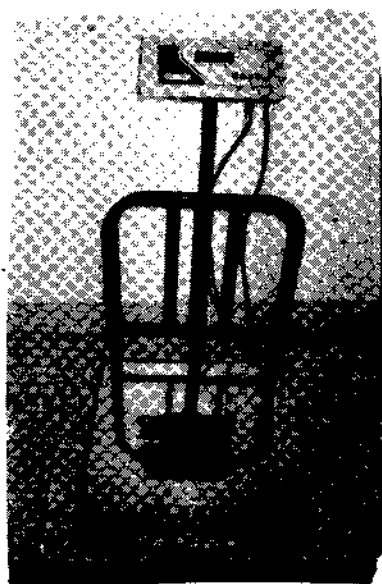
[F. No. WM-21(15)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 12 मार्च, 2007

का.आ. 1160.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गोल्डट्रॉन कम्यूनिकेशन्स प्रा. लि., यूनिट नं. 58, इलैक्ट्रॉनिक सिटी, हैटरॉन कॉम्प्लैक्स, सेक्टर 18 (पी), गुडगांव-122015 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले 'जीटीपीएच' शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "गोल्डट्रॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/92 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) का तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 5 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैमिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक ई मान के लिए 100 से 50,000 तक के रेंज में सत्यापन अन्तराल (एन) और 100 मि. ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(21)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th March, 2007

S.O. 1169.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (80 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "GIPH" series of high accuracy (Accuracy Class-II) and with brand name "GOLDTRON" (herein referred to as the said model), manufactured by M/s. Goldtron Communications Pvt. Ltd., Unit No. 58, Electronic City, Hartree Complex, Sector- 18(P), Gurgaon-122015, Haryana and which is assigned the approval mark IND/09/07/92.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg and minimum capacity of 5 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity range above 50 kg. and up to 5000 kg. and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1mg to 50 mg and with verification scale interval (n) in the range of 5000 to 50000 for 'e' value of 100 mg or more and with 'c' value of 1×10^2 , 2×10^2 or 5×10^2 , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

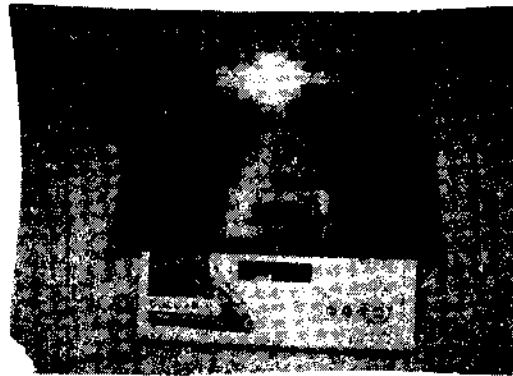
[F. No. WM-21(21)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 12 मार्च, 2007

का.आ. 1161.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गोल्डट्रॉन कम्यूनिकेशन्स प्रा. लि., यूनिट नं. 58, इलैक्ट्रॉनिक सीटी, हैट्रॉन कॉम्प्लैक्स, सैक्टर 18 (पी), गुडगांव-122015, हरियाणा द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'जी टी टी' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "गोल्डट्रॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/91 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल मल्टी एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित टेबलटॉप प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्ट्रैमिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित/परिवर्धित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धातु या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

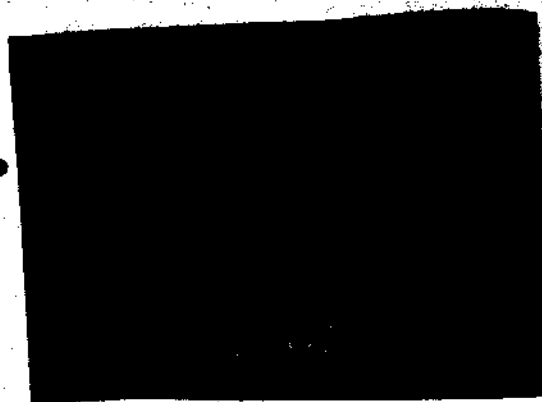
[फा. सं. डब्ल्यू एम-21(21)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th March, 2007

S.O. 1161.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "GTT" series of medium accuracy (Accuracy Class-III) and with brand name "GOLDTRON" (herein referred to as the said model), manufactured by M/s. Goldtron Communications Pvt. Ltd., Unit No. 58, Electronic City, Hartron Complex, Sector- 18(P), Gurgaon-122015, Haryana and which is assigned the approval mark IND/09/07/91.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more, and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

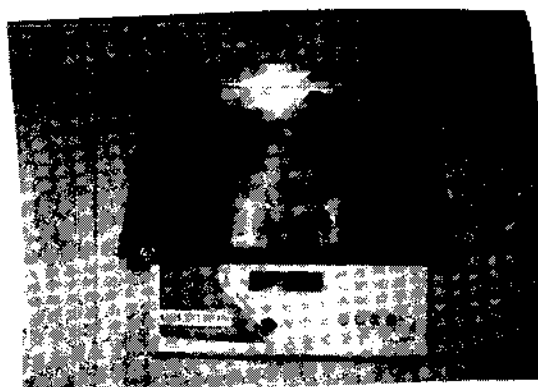
[F. No. WM-21(21)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 12 मार्च, 2007

का.आ. 1162.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गोल्डट्रॉन कम्यूनिकेशन्स प्रा. लि., यूनिट नं. 58, इलैक्ट्रॉनिक सीटी, हैट्रॉन कॉम्प्लैक्स, सैक्टर 18 (पी), गुडगांव-122015, हरियाणा द्वारा विनिर्मित उच्च यथार्थता (यथार्थता-वर्ग-II) वाले 'जी टी टी एच' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "गोल्डट्रॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/90 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबलटाप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित/परिवर्धित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तालन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. से तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(21)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th March, 2007

S.O. 1162.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop Type) with digital indication of "GTTH" series of high accuracy (Accuracy Class-II) and with brand name "GOLDTRON" (herein referred to as the said model), manufactured by M/s. Goldtron Communications Pvt. Ltd., Unit No. 58, Electronic City, Harton Complex, Sector-18(P), Gurgaon-122015, Haryana and which is assigned the approval mark IND/09/07/90.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity up to 50 kg and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

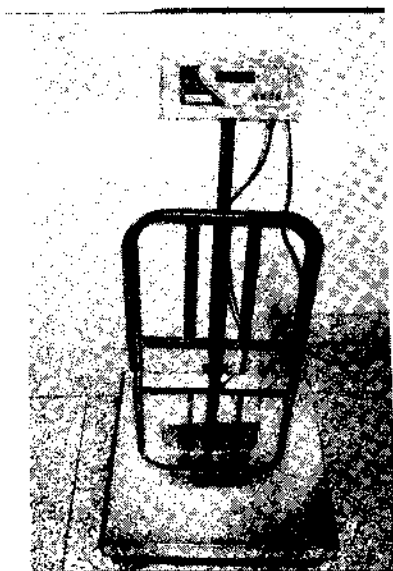
[F. No. WM-21(21)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 12 मार्च, 2007

का.अ. 1763: केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (जैसे की गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 का उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गोल्डट्रॉन कम्यूनिकेशंस प्रा. लि., यूनिट नं. 58, इलैक्ट्रॉनिक सिटी, हैटरॉन कॉम्प्लैक्स, सैक्टर 18 (पी), गुडगांव-122015, हरियाणा द्वारा विनिर्मित मध्यम यथार्थता यथार्थता वर्ग-II (I) वाले 'जीटीपी' शृंखला के अंकक सूचन सहित, स्वतःसूचक, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) का निर्माण का निम्न ब्रांड का नाम "गोल्डट्रॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आदि प्राप्त हो (अनुमोदन) सन्तुष्ट किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विद्युत गति प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मानमान अन्तराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक भारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट की मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिजली से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल का अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 या 5×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(21)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th March, 2007

S.O. 1163.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self-indicating, non-automatic (Platform type) weighing instrument with digital indication of "GTP" series of medium accuracy (Accuracy Class-III) and with brand name "GOLDTRON" (herein referred to as the said model), manufactured by M/s. Goldtron Communications Pvt. Ltd., Unit No. 58, Electronic City, Hartron Complex, Sector- 18(P), Gurgaon-122015, Haryana and which is assigned the approval mark IND/09/07/93;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and up to 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

(F. No. WM-21(21)/2007)

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 12 मार्च, 2007

का.आ. 1164.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सिल्वर मेट्रिक वर्क्स, शिवाजी नगर, सावरकुण्डला-364515-गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'एसएमडब्ल्यूटी-01' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सिल्वर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/121 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टाप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मान अन्तराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(32)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th March, 2007

S.O. 1164,—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top Type) with digital indication of "SMWT-01" series of medium accuracy (Accuracy Class-III) and with brand name "SILVER" (herein referred to as the said model), manufactured by M/s. Silver Metric Works, Shivaji Nagar, Savarkundla-364 515, Gujarat and which is assigned the approval mark IND/09/07/121;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top Type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

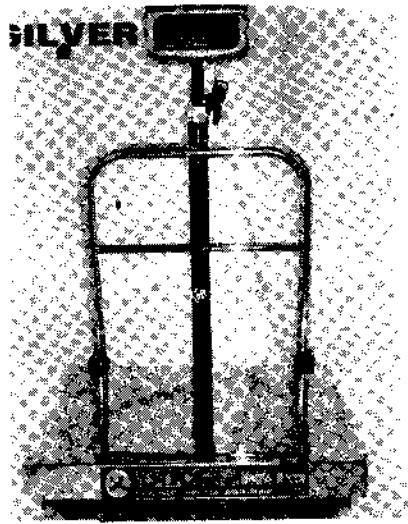
[F. No. WM-21(32)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 12 मार्च, 2007

का.आ. 1165.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सिल्वर मेट्रिक वर्क्स, शिवाजी नगर, सावरकुण्डला-364515-गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'एस एम डब्ल्यूपी-01' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सिल्वर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/122 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो ध नात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

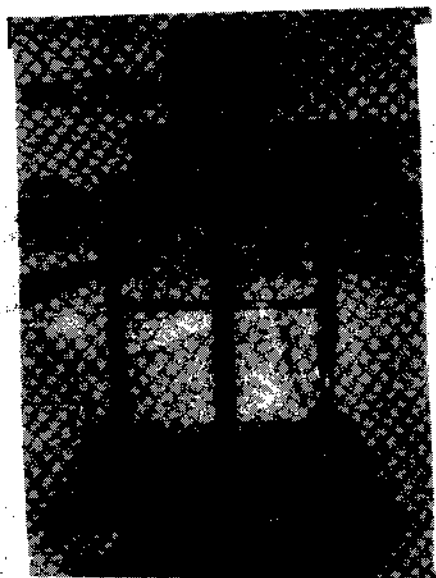
[फा. सं. डब्ल्यू एम-21(32)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th March, 2007

S. O. 1165.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform Type) with digital indication of "SMWP-01" series of medium accuracy (Accuracy Class-III) and with brand name "SILVER" (herein referred to as the said model), manufactured by M/s. Silver Metric Works, Shivaji Nagar, Savarkundla-364 515, Gujarat and which is assigned the approval mark IND/09/07/122;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and, with the same materials with which, the said approved model has been manufactured.

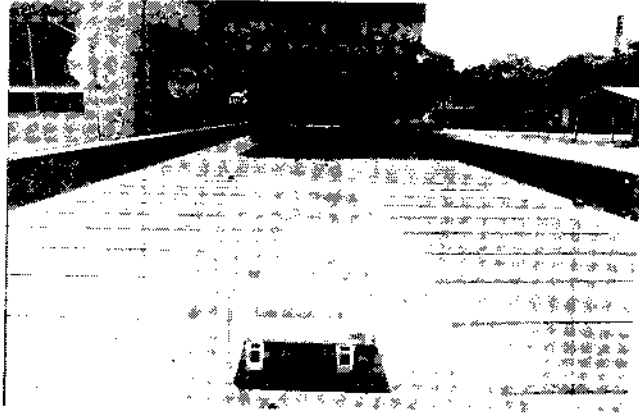
[F. No. WM-21(32)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 14 मार्च, 2007

क्र.आ. 1166.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हैदराबाद तुलामन लिमिटेड, बालानगर टाउनशिप, हैदराबाद-500037 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'ई आर डब्ल्यू बी-एच टी' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (मल्टी लोडसैल प्रकार का इलैक्ट्रॉनिक वेब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "तुलामन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/39 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल मल्टी लोड सैल आधारित वेब्रिज प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 60 टन और न्यूनतम क्षमता 400 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 20 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तालन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 5 टन से अधिक और 150 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 या 5×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

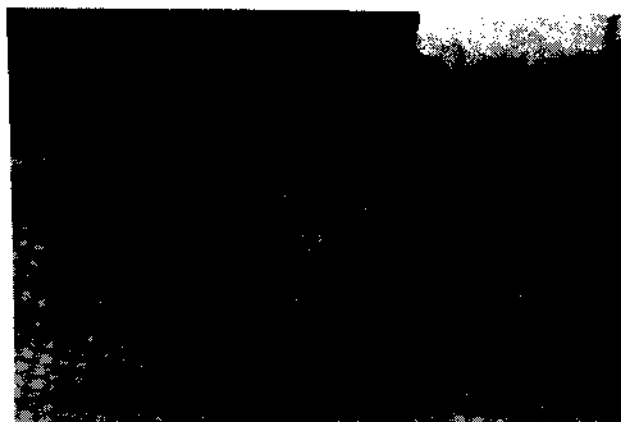
[फा. सं. डब्ल्यू एम-21(218)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th March, 2007

S. O. 1166.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (multi load cell type electronic weighbridge) weighing instrument with digital indication of "ERWB-HT" series of medium accuracy (Accuracy Class-III) and with brand name "TULAMAN" (herein after referred to as the said model), manufactured by M/s. Hyderabad Tulaman Limited, Balanagar Township, Hyderabad-500 037 and which is assigned the approval mark IND/09/07/39;



The said model is multi load cells based weigh bridge type weighing instrument with a maximum capacity of 60 tonne and minimum capacity of 400kg. The verification scale interval (e) is 20 kg. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity above 5 tonne and upto 150 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^4 , 2×10^4 or 5×10^4 k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(218)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 मार्च, 2007

का.अ. 216/7.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (जो ई आई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अद्य केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स स्टैटजिक वेइंग सिस्टम लिमिटेड, नं. 412/7, जी एस टी रोड, क्रौमबेट, चेन्नई-600044 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "स्मार्ट 460" मॉडल को एकत्र सूचन सहित स्वतः सूचक अस्वचालित तोलन उपकरण (मल्टी लोडसैल प्रकार का इलैक्ट्रॉनिक वेब्रिज प्रकार) के मॉडल को, जिसके शीट का नाम "एस डब्ल्यू एस एल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन पत्र आई एन टी/04/07/38 समुद्देशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल मल्टी लोड सैल आधारित वे ब्रिज प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 60 टन और न्यूनतम क्षमता 400 कि. ग्रा. है। मापन सत्यता अक्षराल (ई) का मान 20 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रमाण है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैटिफा फोर्ट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को चिह्नी में पहने जाने पर उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 या 10,000 तक की रेंज में सत्यापन मान सहित 5 टन से अधिक और 150 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 या 3×10^4 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(216)/2006]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th March, 2007

S. O. 1167.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the Figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge type) with digital indication of "SMART-450" series of medium accuracy (accuracy class-III) and with brand name "SWSL" (herein referred to as the said model), manufactured by M/s. Strategic Weighing System, L.L., No. 412/7, G.S.T. Road, Chrompet, Chennai-600 044, Tamil Nadu and which is assigned the approval mark IND/09/07/38;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 60000 kg and minimum capacity of 400kg. The verification scale interval (e) is 20 kg. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity between 5000 kg and up to 150 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

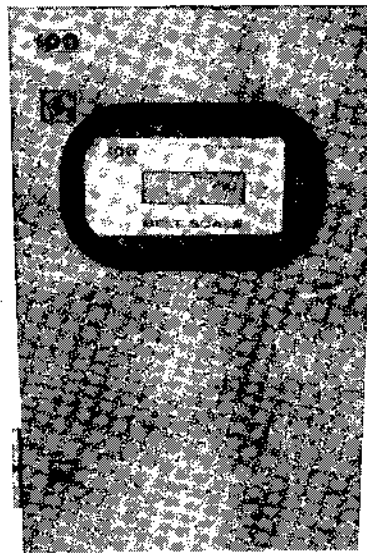
[F. No. WM-21(216)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 फरवरी, 2007

का.आ. 1168.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आई पी ए प्राइवेट लि., 472/बी-2, 12 वां क्रॉस, IV फेज, पीन्या इण्डस्ट्रीयल एरिया, बंगलौर-560058, कर्नाटक द्वारा विनिर्मित (यथार्थता वर्ग-I) वाले “बी सी डब्ल्यू” शृंखला के अंकक सूचन सहित स्वचालित तोलन उपकरण (बैल्ट तोलन प्रकार) के मॉडल का, जिसके ब्रांड का नाम “आई पी ए” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/478 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल (नीचे दी गई आकृति देखें) एक भर सैल आधारित (टोटलाइजिंग) तोलन मशीन है। जिसकी अधिकतम प्रवाह दर 2000 टन प्रति घण्टा है और न्यूनतम प्रवाह दर 1 टन प्रति घण्टा है। बैल्ट की चौड़ाई 350 मि.मी. से 2000 मि.मी. है। अधिकतम टोटलाइज्ड लोड रेंज 1 टन प्रति घण्टा से 2000 टन प्रति घण्टा है। लिक्विड क्रिस्टल डिस्प्ले प्रकाश उत्सर्जक डायोड (एल सी डी) प्रदर्शन तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल में बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी निष्पादन सिद्धांत आदि की शर्तों के संबंध में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिसकी अधिकतम क्षमता की रेंज 1 टन प्रति घण्टा से 2000 टन प्रति घण्टा है।

[फा. सं. डब्ल्यू एम-21(147)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd February, 2007

S. O. 1168.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the Continuous Totalizing Automatic Weighing Instrument (Belt Weigher type) with digital indication of Accuracy Class-I and brand "IPA" and series "BCW" (hereinafter referred to as the said model), manufactured by M/s. IPA Pvt. Ltd., #472/B2, 12th Cross, IV Phase, Peenya Industrial Area, Bangalore-560 058, Karnataka and which is assigned the approval mark IND/09/06/478;

The said model (see the figure given below) is a load cell based totalizing weighing machine with a maximum flow rate of 2000 tonne per hour and minimum flow rate of 1 tonne per hour. The belt width is 350 mm to 2000 mm. Maximum totalized load range is from 1 tonne per hour to 2000 tonne per hour. The Liquid Crystal display (LED) indicates the weighing result.



In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity range from 1 tonne per hour to 2000 tonnes per hour manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

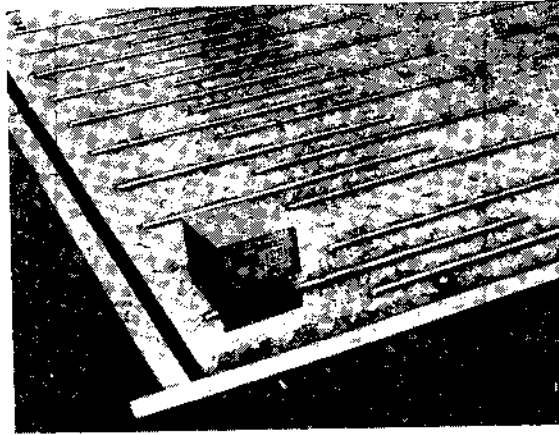
[F. No. WM-21(147)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 मार्च, 2007

का.आ. 1169.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आई पी ए प्राइवेट लि., 472/बी-2, 12 वां क्रॉस, IV फेज, पीन्या इण्डस्ट्रीयल एरिया, बंगलौर-560058, कर्नाटक द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एस एल डब्ल्यू” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम “आई पी ए” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/479 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 50,000 कि. ग्रा. है और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों के संबंध में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के ‘इ’ मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5000 कि.ग्रा. से अधिक और 100 टन तक अधिकतम क्षमता वाले हैं और ‘ई’ मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(147)/2006]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th March, 2007

S. O. 1169.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Weighbridge type) with digital indication of "SLW" series of medium accuracy (accuracy class III) and with brand name "IPA" (herein referred to as the said Model), manufactured by M/s. IPA Pvt. Ltd., #472/B2, 12th Cross, IV Phase, Peenya Industrial Area, Bangalore-560058, Karnataka and which is assigned the approval mark IND/09/2006/479;



The said Model is a strain gauge type load cell based weighing instrument with a maximum capacity of 50000 kg. and minimum capacity of 200 kg. The verification scale interval (e) is 10 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity between 5000 kg. and up to 100 tonnes. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of the form 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

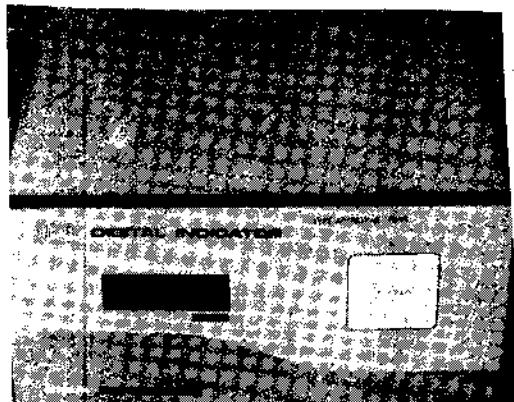
[F. No. WM-21(147)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 फरवरी, 2007

का.आ. 1170.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आई पी ए प्राइवेट लि. 472/बी-2, 12 वां क्रॉस, IV फेज, पीन्या इण्डस्ट्रीयल एरिया, बंगलूर-560058, कर्नाटक द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एच डब्ल्यू एस” शृंखला के अंकक सूचन सहित स्वचालित तोलन उपकरण (टैंक/हॉपर/सिलो तोलन प्रकार) के मॉडल का, जिसके ब्रांड का नाम “आई पी ए” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/480 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टैंक/हॉपर/सिलो तोलन प्रकार का) तोलन मशीन है। जिसकी अधिकतम प्रवाह दर 25,000 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 10 कि. ग्रा. है। लिक्विड क्रिस्टल डिस्प्ले प्रकाश उत्सर्जक डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल में बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों के संबंध में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1000 कि. ग्रा. से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(147)/2006]

आर. भाथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd February, 2007

S. O. 1170.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Non-automatic weighing instrument (Tank/Hopper/Silo weighing type) with digital indication of "HWS" series of medium accuracy (Accuracy class-III) and with brand name "IPA" (herein referred to as the said model), manufactured by M/s. IPA Pvt. Ltd., 472/B2, 12th Cross, IV Phase, Peenya Industrial Area, Bangalore-560 058, Karnataka and which is assigned the approval mark IND/09/06480;



The said Model is a strain gauge type load cell based Non-automatic weighing instrument (Tank/Hopper/Silo weighing type) with a maximum capacity of 25000 kg. The verification scale interval 'e' is 10 g. The Liquid Crystal display (LCD) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply. In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 1000 kg. and up to 100 tonnes manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

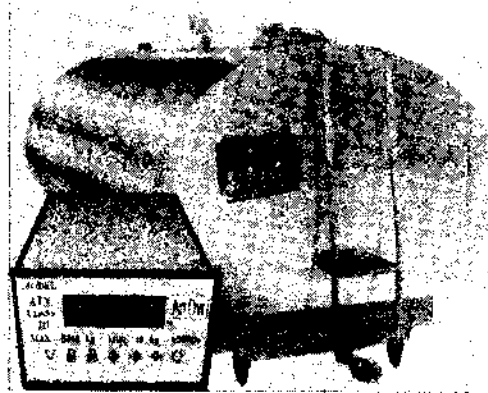
[F. No. WM-21(147)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 अप्रैल, 2007

कन.आ. 1171.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डॉडिया वेईंग टेक्नालोजी, प्लॉट नं. 54, जी.आई.डी.सी. हिम्मतनगर-383001—गुजरात द्वारा-विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'एटीएन' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टैंक वेईंग प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ऐरो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/455 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है:



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन अस्वचालित तोलन (टैंक वेईंग प्रकार) उपकरण है। इसकी अधिकतम क्षमता 5 टन और न्यूनतम क्षमता 10 कि. ग्रा. है। इसका सत्यापन मापमान अंतराल 500 ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवस्थात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज गत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को खोल करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा और मॉडल को धिका के पूर्व या उपरान्त इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जा सके।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 (12) प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 30 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

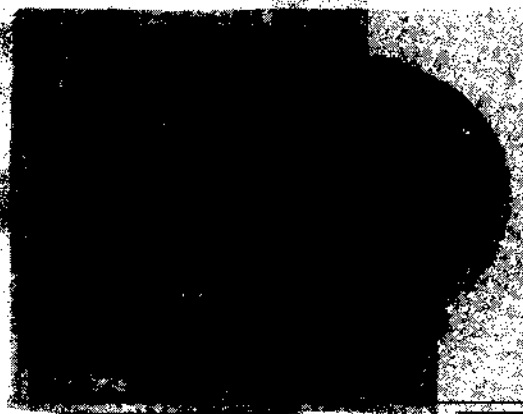
[फा. सं. डब्ल्यू.एम-21(80)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd April, 2007

S.O. 1171.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Tank Weighing type) with digital indication of medium accuracy (Accuracy class III) of series "ATN" and with brand name "ARROW" (hereinafter referred to as the said model), manufactured by M/s. Dodia Weighing Technology, Plot No. 54, G.I.D.C., Himmatnagar-383 001, Gujarat and which is assigned the approval mark IND/09/06/455;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tank weighing type) with a maximum capacity of 3000 kg. The verification scale interval (e) is 500g. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230V volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity between 5000 kg, and up to 30 tonnes and with number of verification scale interval (n) in the range of 500 to 10000 for e value of 5g or more and e value of the form 1×10^{-2} , 2×10^{-2} or 5×10^{-2} , e being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved model have been manufactured.

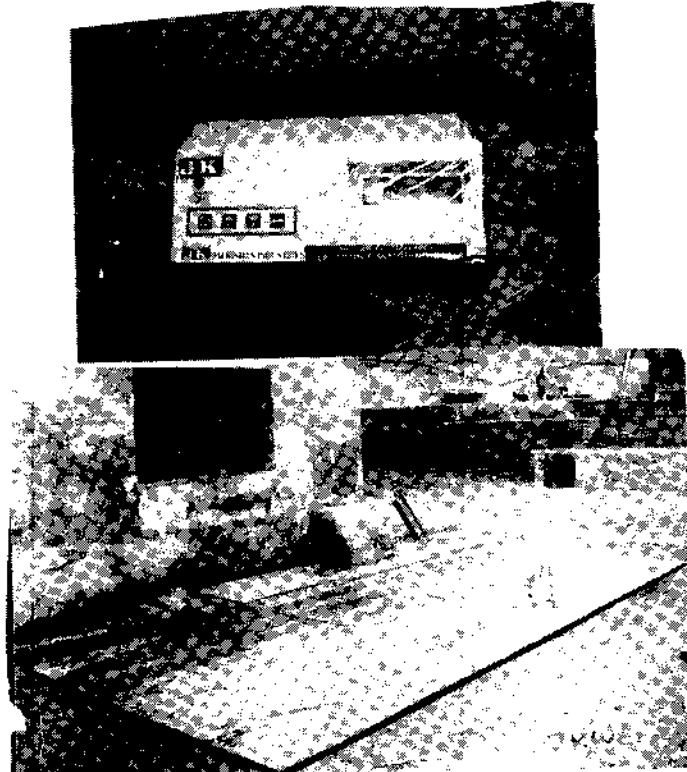
IP: No. WLM-2 (00/2006)

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 26 मार्च, 2007

का.आ. 1172.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जय किशन इंडस्ट्रीज, 21/2, जिओनी मंडी, जॉन मिल नं. 4, आगरा-282 004, उत्तर प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “जे के डब्ल्यू” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम “जे के” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/37 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (वेब्रिज प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टायिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि को शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 5 टन से अधिक और 150 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

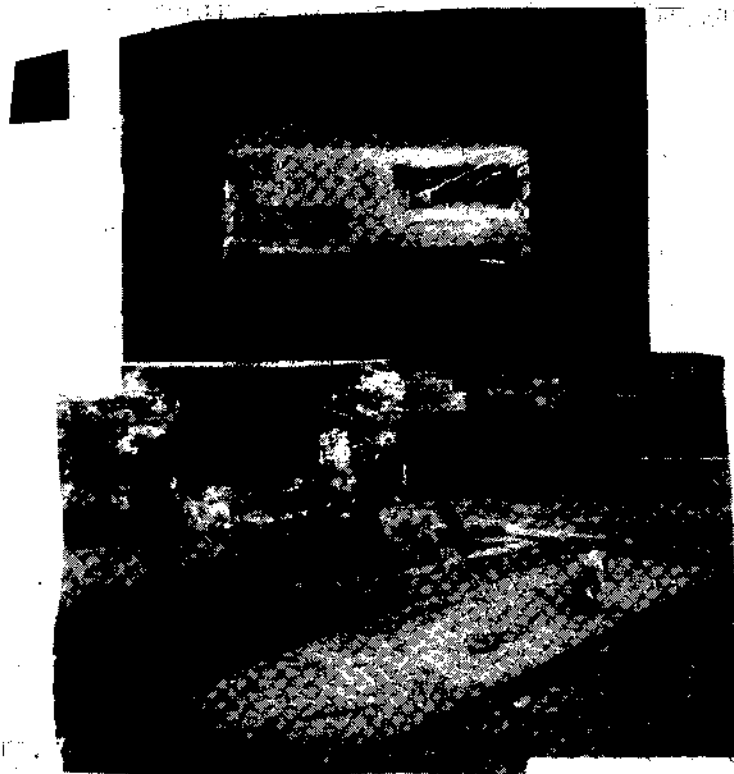
[फा. सं. डब्ल्यू एम-21(16)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 26th March, 2007

S.O. 1172.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (weighbridge type) with digital indication of "JKW" series belonging to medium accuracy (Accuracy class-III) and with brand name "J K" (hereinafter referred to as the said Model), manufactured by M/s. Jai Kishan Industries, 21/2, Jeoni Mandi, John's Mill No. 4, Agra-282 004, U.P. and which is assigned the approval mark IND/09/07/37 ;



The said Model is a strain-gauge type load cell based non-automatic weighing instrument (weighbridge type) with a maximum capacity of 50 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 150 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model have been manufactured.

(F. No. WM-21(16)/2007)

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1173.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कारपोरेशन, 19ए, चैंपिन रोड, पी. ओ. बाक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले “ए आर” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ओहॉस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहॉस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवार्ड, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/49 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पनसेशन सिद्धांत पर आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 3100 ग्राम है और न्यूनतम क्षमता 1 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन, सिद्धान्त आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 50,000 से अधिक या उसके बराबर की रेंज में सत्यापन मापमान अंतराल (एन) सहित 65 ग्राम से 4100 ग्राम की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

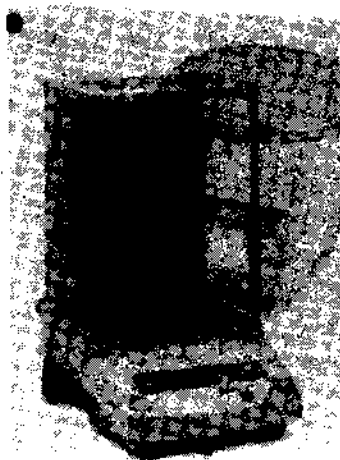
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1175.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (table top type) weighing instrument with digital indication of "AR" series of special accuracy (accuracy class D) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/49.



The said model is an Electro Magnetic Force Compensation Principle based non-automatic weighing instrument with a maximum capacity of 3100g and minimum capacity of 1g. The verification scale interval (e) is 10 mg. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacity comprising from 65g to 4100g and with number of verification scale interval (n) equal to or more than 50,000 for 'e' value of 1 mg or more and with 'e' value of 1×10^{-2} , 2×10^{-2} or 5×10^{-2} , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model have been manufactured.

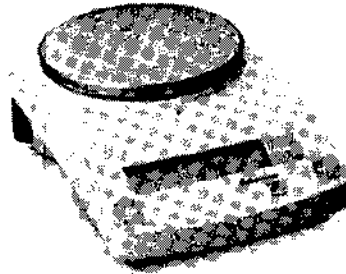
(F. No. WM-21(17)/2007)

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1174.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कारपोरेशन, 19ए, चैपिन रोड, पी. ओ. बाक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “ए आर” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ओहॉस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहॉस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/50 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पनसेशन सिद्धांत पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 4100 ग्राम है और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैमिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 510 ग्राम से 4100 ग्राम की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

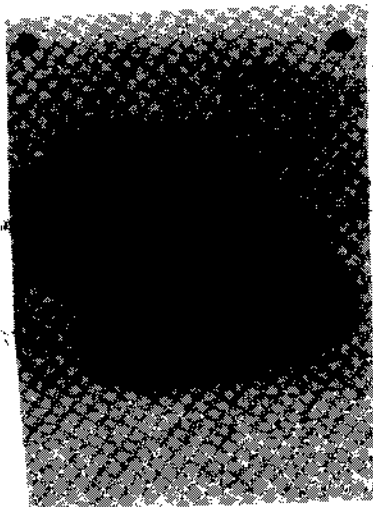
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1174.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "AR" series of high accuracy (accuracy class-II) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2833, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/50.



The said model is an Electro Magnetic Force Compensation Principle based non-automatic weighing instrument with a maximum capacity of 4100g and minimum capacity of 5g. The verification scale interval (e) is 100 mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with capacities comprising of 510g to 4100g and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1 mg to 50 mg and with number of verification scale interval (n) in the range of 5000 to 50000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

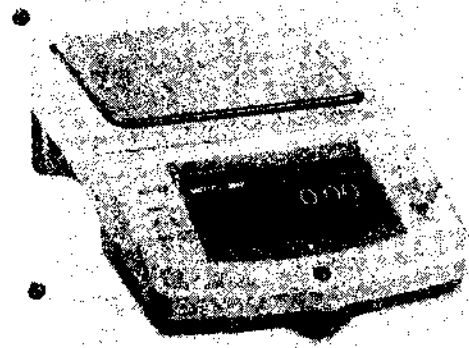
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1175.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहोस कारपोरेशन, 19ए, सैफ्ट रोड, पी ओ बॉक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "वी पी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहोस" है (जिसे इसमें इसमें पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहोस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/57 सम्बुद्धित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक सटीक ब्लॉक टेक्नोलॉजी पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 6100 ग्रा. है और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवहारनात्मक धारित आधेयतुलन प्रभाव है। बैकलिट लिक्विड क्रिस्टल डिप्लेड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 62 ग्रा. और 6100 ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

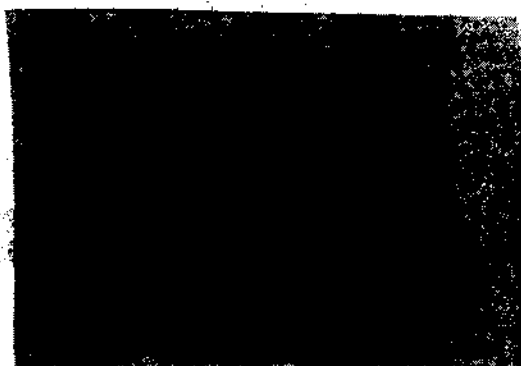
[फा सं. डब्ल्यू एम-21(17)/2007]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1175.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (50 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "VP" series of high accuracy (accuracy class-II) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Anar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/57;



The said model is a Mono-Block Technology based non-automatic weighing instrument with a maximum capacity of 6100 g and minimum capacity of 5 g. The verification scale interval (e) is 100 mg. It has a tare device with 100 per cent subtractive retained tare effect. The Backlit Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with capacities comprising of 62 g and 6100 g and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50 mg and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved model has been manufactured.

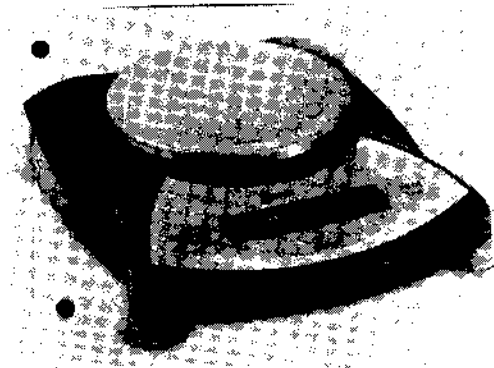
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1176.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बाक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एस पी” शृंखला के अंकक सूचक सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ओहॉस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहॉस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/58 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 200 ग्रा. है और न्यूनतम क्षमता 200 मि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 200 ग्रा. से 4,000 ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

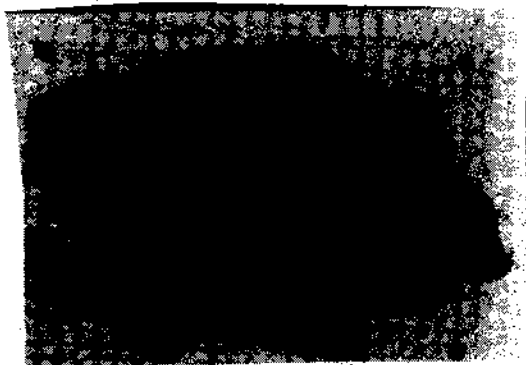
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1176.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "SP" series of high accuracy (accuracy class F1) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, P9A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/58;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 200 g and minimum capacity of 200 mg. The verification scale interval (e) is 10 mg. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with capacity comprising from 200 g to 4,000 g and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50 mg and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^3 , 2×10^3 or 5×10^3 , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

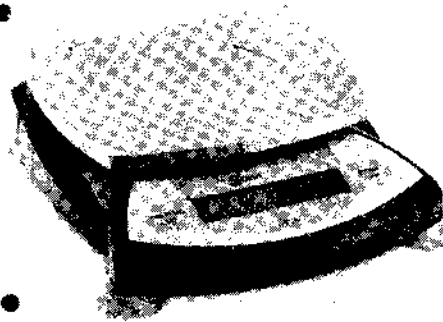
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1177.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बॉक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एस पी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ओहॉस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहॉस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/59 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 6000 ग्राम है और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिविड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 400 ग्राम से 6000 ग्राम की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, ‘के’ हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

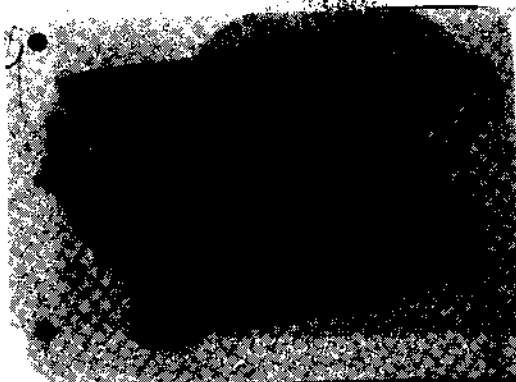
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1177.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "SP" series of medium accuracy (accuracy class-III) and with brand name "OHAUS" (hereinafter referred to as the said Model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400072 and which is assigned the approval mark IND/13/07/59 ;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 6000g and minimum capacity of 20g. The verification scale interval (e) is 1g. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacities from 400g and 6000g, with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g, or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^x , 2×10^x or 5×10^x , 'x' being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

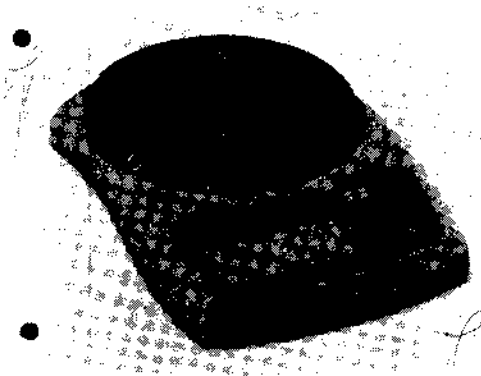
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1178.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहोस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बॉक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एच एच" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहोस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहोस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/60 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 120 ग्राम है और न्यूनतम क्षमता 2 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 60 ग्राम से 320 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , 'के' हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

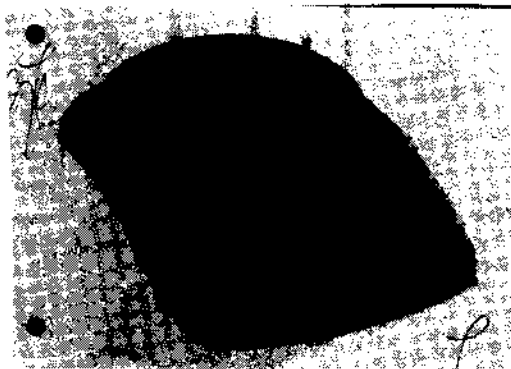
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1178.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "HH" series of medium accuracy (accuracy class-III) and with brand name "OHAUS" (herein referred to as the said Model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/60 ;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 120g and minimum capacity of 2g. The verification scale interval (e) is 0.1g. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacities from 60g and 320g and with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k 'k', being positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

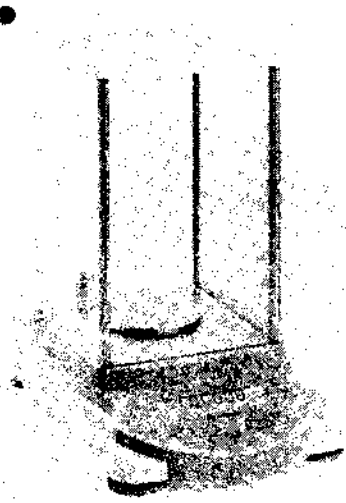
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

क्र.आ. 1179.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहोस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बॉक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले "ए पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहोस" है (जिसे इसमें इसको पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहोस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/51 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक मोनो ब्लॉक टेक्नोलोजी आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 260 ग्राम है और न्यूनतम क्षमता 100 मि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। बेकरीट लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मॉक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 50,000 से अधिक या उसके बराबर की रेंज में सत्यापन मापमान अंतराल (एन) सहित 110 ग्राम और 4100 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम-21(17)/2007]

आर. माधुरबृथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1179.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "AV" series of special accuracy (accuracy class-I) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Anar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/51 ;



The said model is a Mono-Block Technology based non-automatic weighing instrument with a maximum capacity of 260g and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with 100 per cent subtractive retained tare effect. The Backlit Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacities comprising of 110g and 4100g and with number of verification scale interval (n) equal to or more than 50,000 for 'e' value of 1mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , 'k' being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model has been manufactured.

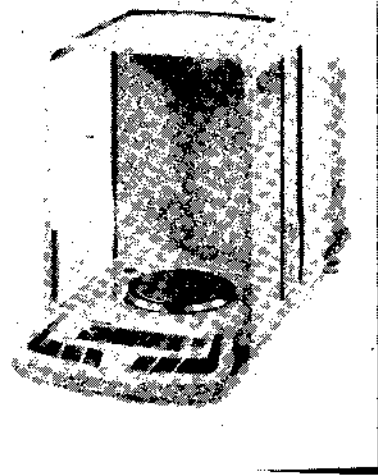
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1180.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहोस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बॉक्स 2033, पाइन बूक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले "डी वी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहोस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहोस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400 072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/53 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक मोनो ब्लॉक टेक्नोलोजी आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 210 ग्राम है और न्यूनतम क्षमता 100 मि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। वैकलिट लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 50,000 से अधिक या उसके बराबर की रेंज में सत्यापन मापमान अंतराल (एन) सहित 110 ग्राम और 310 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

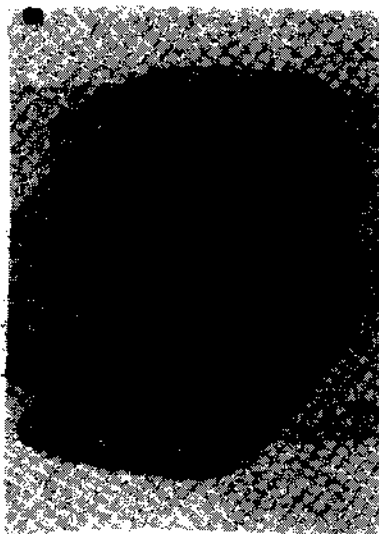
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1180.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Table top type) weighing instrument with digital indication of "DV" series of special accuracy (accuracy class-I) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/53.



The said model is a Mono-Block Technology based non-automatic weighing instrument with a maximum capacity of 210g. and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with 100 per cent subtractive retained tare effect. The Backlit Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacities comprising of 110g. and 310g. and with number of verification scale interval (n) equal to or more than 50,000 for 'e' value of 1mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model have been manufactured.

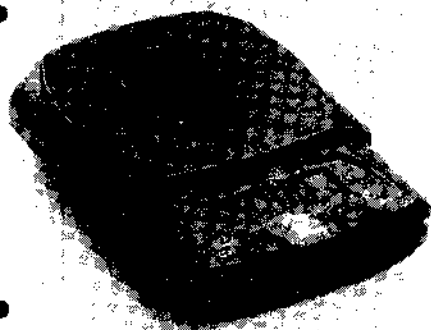
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1181.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बॉक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-III) वाले "पी एस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहॉस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहॉस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400 072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/61 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 120 ग्राम है और न्यूनतम क्षमता 2 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कफ्टपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 120 ग्राम और 250 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^6 , 2×10^6 या 5×10^6 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

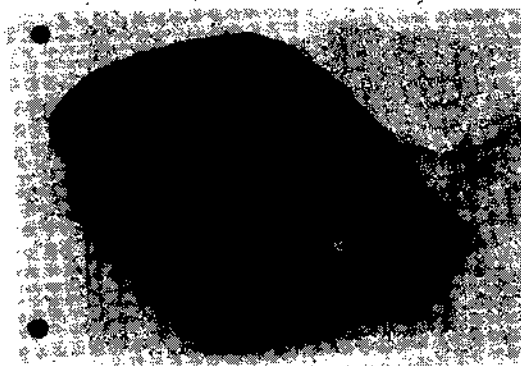
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1181.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "PS" series of medium accuracy (accuracy class-III) and with brand name "OHAUS" (hereinafter referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/61 ;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 120g and minimum capacity of 2g. The verification scale interval (e) is 0.1 g. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacities 120g and 250g and with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

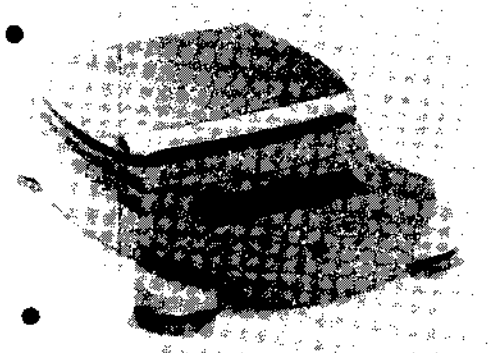
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1182.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहोस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बाक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले 'ए वी' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहोस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहोस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400 072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/52 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक मोनो ब्लॉक टेक्नोलॉजी पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 4100 ग्राम है और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। बैकलिट लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैमिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 51 ग्राम और 8100 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

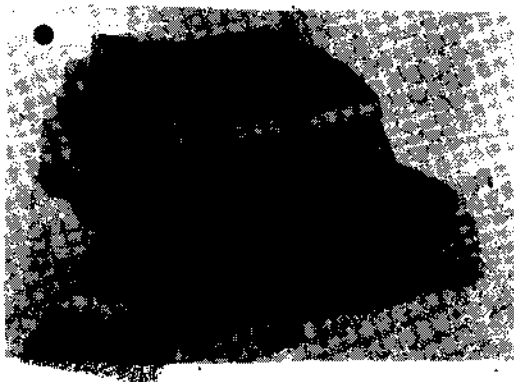
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1182.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Tabletop type) with digital indication of 'FAV' series of high accuracy (Accuracy Class-II) and with brand name "OHAUS" (hereinafter referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P. O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Sakin Vihar Road, Powai, Mumbai-400072 and which is assigned the approval mark IND/13/07/52;



The said model is a Mono-Block technology based non-automatic weighing instrument with a maximum capacity of 4100g and minimum Capacity of 5g, verification scale interval (e) is 100mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Backlit Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. Before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with capacities comprising of 51g and 8100g and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^{-2} to 1×10^{-4} , or 5×10^{-4} , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

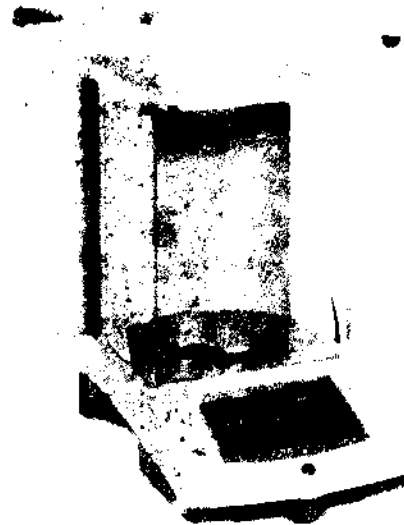
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1183.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ओहॉस कारपोरेशन, 19ए, चैंपिन रोड, पी ओ बॉक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-I) वाले "ई पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहॉस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहॉस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/54 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक मोनो ब्लॉक टेक्नोलॉजी आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 210 ग्राम है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। बैकलिट लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 50,000 से अधिक या उसके बराबर की रेंज में सत्यापन मापमान अंतराल (एन) सहित 110 ग्राम और 32000 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

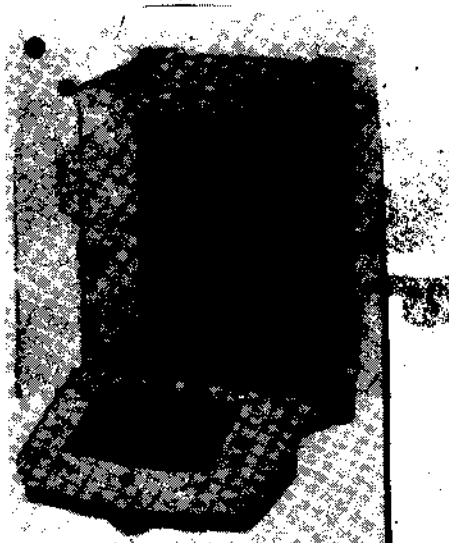
[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1183.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Table top type) weighing instrument with digital indication of "EP" series of special accuracy (Accuracy Class-I) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2093, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400072 and which is assigned the approval mark IND/13/07/54.



The said model is a Mono-Block Technology based non-automatic weighing instrument with a maximum capacity of 210g and minimum capacity of 100-mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 percent subtractive retained tare effect. The Backlit Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230Volts 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacities comprising of 110g and 32000g and with number of verification scale interval (n) equal to or more than 50,000 for 'e' value of 1mg or more and with 'e' value 1×10^{-6} , 2×10^{-6} or 5×10^{-6} , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model has been manufactured.

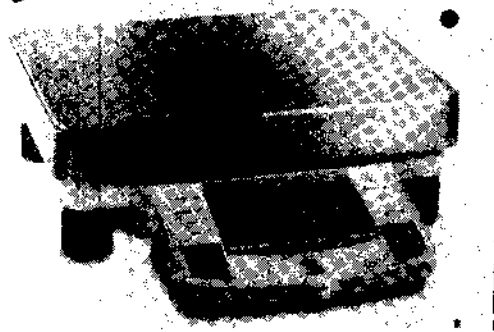
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1184.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ओहोस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बॉक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "ई पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहोस" है (जिस इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहोस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/55 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक मोनो ब्लॉक टेक्नोलोजी पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 6100 ग्राम है और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। बैकलिट लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 62 ग्राम और 8100 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1124.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "EP" series of high accuracy (Accuracy Class-II) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P. O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400072 and which has been assigned the approval mark IND/13/07/55;



The said model is a Mono Block Technology based non-automatic weighing instrument with a maximum capacity of 6100g and minimum Capacity of 5g. The verification scale interval (e) is 100mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Backlit Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with capacities comprising of 62g and 8100g and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 30mg and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^1 , 2×10^1 or 5×10^1 , being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

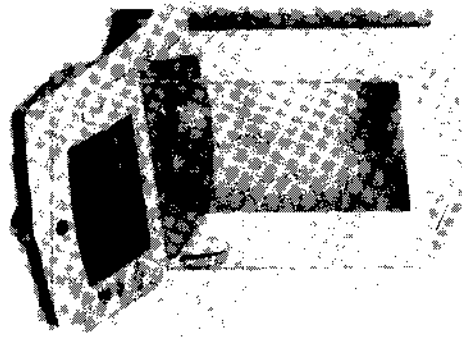
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1185.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहोस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बाक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले 'वी पी' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहोस" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहोस वेइंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/56 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक मोनो ब्लॉक टेक्नोलॉजी आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 210 ग्राम है और न्यूनतम क्षमता 100 मि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। बैकलिट लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैमिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 50,000 से अधिक या उसके बराबर की रेंज में सत्यापन मापमान अंतराल (एन) सहित 110 ग्राम और 6100 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1185.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Tabletop type) weighing instrument with digital indication of "VP" series of accuracy (Accuracy Class I) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chertsey Road, P. O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saket Vihar Road, Powai, Mumbai-400072 which is assigned the approval mark IND/13/07/56;



The said model is a Mono-Block Technology based non-automatic weighing instrument with a maximum capacity of 210 g. and minimum capacity of 100 mg. The verification scale interval is 1 mg. It has a tare device with a 100 percent subtractive retained tare effect. The Backlit Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (1E) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacities comprising of 110 g. and 6100 g. and with number of verification scale interval (n) equal to or more than 50,000 for 'e' value of 1 mg. or more and with 's' value $1 \times 10^{-2} \times 10^{-4}$ or 5×10^{-4} , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which the said approved model have been manufactured.

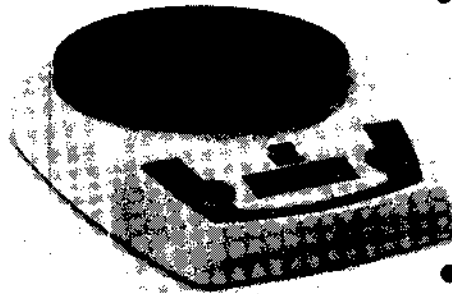
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1186.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहोस कारपोरेशन, 19ए, चैपिन रोड, पी ओ बाक्स 2033, पाइन ब्रुक, एन जे 07058-9878, यू एस ए द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी एल" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओहोस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में मैसर्स ओहोस वेईंग इंडिया प्राइवेट लि., अमर हिल, साकी विहार रोड, पोवाई, मुंबई-400072 द्वारा विपणित किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/07/62 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टाप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 2000 ग्राम है और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिविड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 200 ग्राम से 5000 ग्राम की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(17)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th April, 2007

S.O. 1186.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Table-top type) weighing instrument with digital indication of "CL" series of medium accuracy (Accuracy Class-III) and with brand name "OHAUS" (herein referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-9878, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400 072 and which is assigned the approval mark IND/13/07/62;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table-top type) with a maximum capacity of 2000g and minimum capacity of 20g. The verification scale interval (e) is 1g. It has a tare device with 100 percent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacities from 200g to 5000g with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^{-3} , 2×10^{-3} , or 5×10^{-3} , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

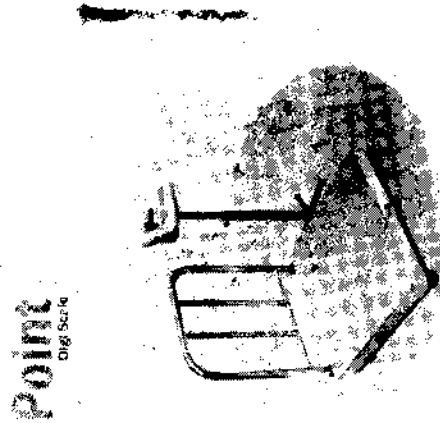
[F. No. WM-21(17)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 9 अप्रैल, 2007

का.आ. 1187.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अंतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैससे यश यश टेक्नोलॉजी प्र.# 90-ए, शास्त्री रोड, रामनगर, कोयम्बतूर-641 009 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पी एच एस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "प्वाइंट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/115 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 600 कि.ग्रा. है और न्यूनतम क्षमता 2.5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(54)/2007]

आर. माथुरब्रूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th April, 2007

S.O. 1187.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "FHS" series of high accuracy (Accuracy Class-II) and with brand name "POINT" (herein referred to as the said model), manufactured by M/s. Yes Yes Technologies, # 90-A, Sastri Road, Ramnagar, Coimbatore-641 009 and which is assigned the approval mark IND/09/07/115;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600kg and minimum capacity of 2.5kg. The verification scale interval (e) is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity range above 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' of 1mg to 50 mg and with verification scale interval (n) in the range of 5000 to 50000 for 'e' value of 100 mg or more and with 'e' value 1×10^{-6} , 2×10^{-6} or 5×10^{-6} , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model have been manufactured.

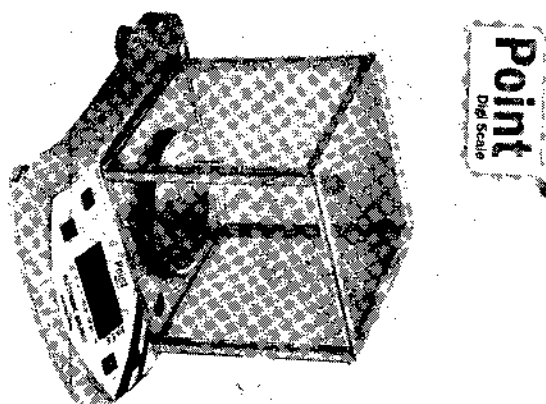
[F. No. WM-21(54)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 9 अप्रैल, 2007

का.आ. 1188.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यश यश टेक्नोलॉजीज, # 90-ए, शास्त्री रोड, रामनगर, कोयम्बतूर-641 009 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पी जे एस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "प्वाइंट" है (जिसे इसमें इसके पश्चात् "माप मॉडल" कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/114 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करता है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टाप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(54)/2007]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th April, 2007

S.O. 1187.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "PHS" series of high accuracy (Accuracy Class-II) and with brand name "POINT" (herein referred to as the said model), manufactured by M/s. Yes Yes Technologies, # 90-A, Sastri Road, Ramnagar, Coimbatore-641 009 and which is assigned the approval mark IND/09/07/115;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600kg and minimum capacity of 2.5kg. The verification scale interval (e) is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity range above 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' of 1mg to 50 mg and with verification scale interval (n) in the range of 5000 to 50000 for 'e' value of 100 mg or more and with 'e' value 1×10^3 , 2×10^3 or 5×10^3 , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model have been manufactured.

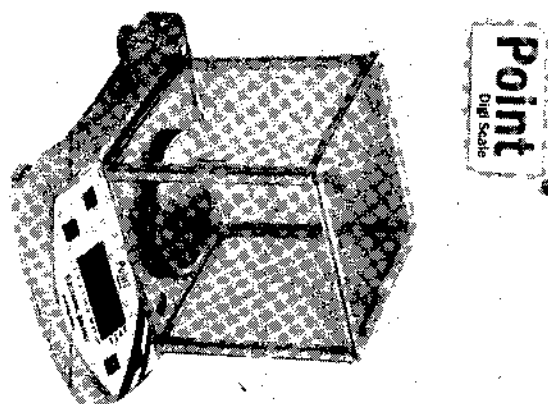
[F. No. WM-21(54)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 9 अप्रैल, 2007

का.आ. 1188.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यश यश टेक्नोलॉजीज, # 90-ए, शास्त्री रोड, रामनगर, कोयम्बतूर-641 009 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पी जे एस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "प्याइंट" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/114 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करता है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टाप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

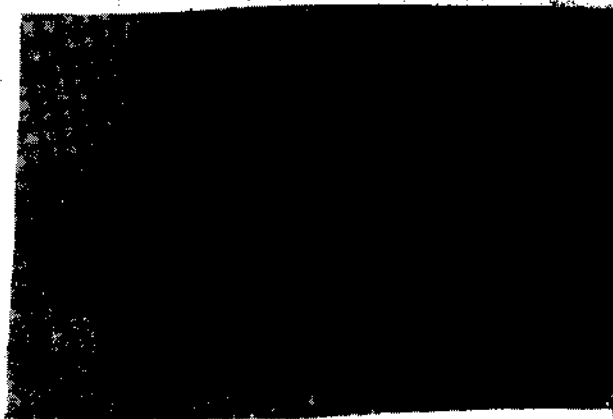
[फा. सं. डब्ल्यू एम-21(54)/2007]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th April, 2007

S.O. 1188.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "PJS" series of high accuracy (Accuracy Class-II) and with brand name "POINT" (herein referred to as the said model), manufactured by M/s. Yes Yes Technologies, # 90-A, Sastri Road, Ramnagar, Coimbatore-641 009 and which is assigned the approval mark IND/09/07/114;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1mg to 50 mg and with number of verification scale interval (n) in the range 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^0 , 2×10^0 or 5×10^0 , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model have been manufactured.

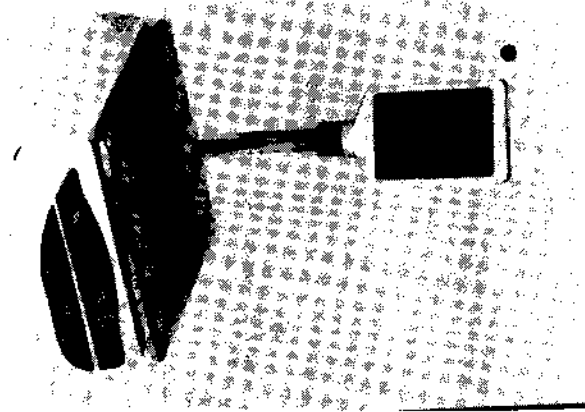
[F. No. WM-21(54)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 9 अप्रैल, 2007

का.आ. 1189.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वेस्पा इलेक्ट्रॉनिक्स # 21-ए, सेल्वाराजापुरम् चिंथामनी पुदुर, कोयम्बतूर-641 103 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "वी ई-जे ई" शृंखला के अंकक सूचन सहित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण के मॉडल का, जिसके ब्रांड का नाम "के. टैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/07/108 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिजली से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^0 , 2×10^0 या 5×10^0 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

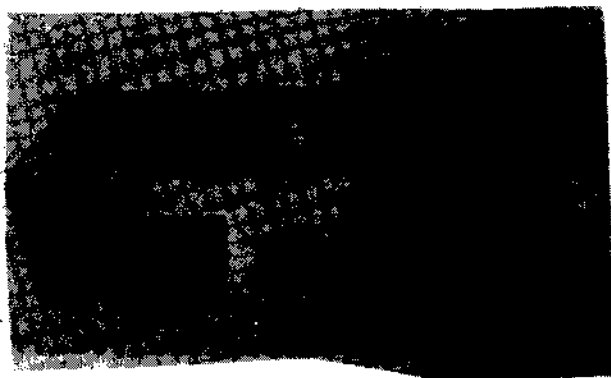
[फा. सं. डब्ल्यू एम-21(48)/2007]

आर. माथुगुथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th April, 2007

S.O. 1189.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "VE-JE" series of high accuracy (Accuracy Class II) and with brand name "K. TECH" (herein referred to as the said model); manufactured by M/s. Vespa Electronics, 21-A, Selvarajapuram Chinthamani Pudur, Coimbatore—641 103 and which is assigned the approval mark IND/09/07/108.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (n) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts and 50Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^{-2} , 2×10^{-2} , 5×10^{-2} , 1 being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model have been manufactured.

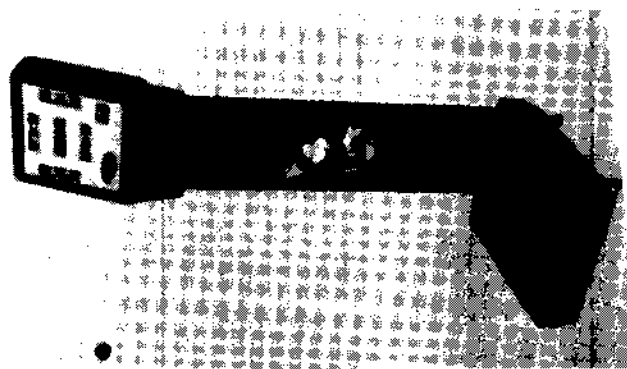
[F. No. WM-21(48)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 9 अप्रैल, 2007

क्र.आ. 1190.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स बेस्पा इलेक्ट्रोनिक्स, 21 ए, सेल्वाराजापुरम, चिंथामनी, पुदुर, कोयम्बतूर-641 103 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "वी ई-पी डब्ल्यू एस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन-सिक्के द्वारा संचालित टिकट मुद्रण सुविधा के साथ या उसके बिना) माडल का, जिसके ब्राड का नाम "के. टैक" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/109 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।



उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 100 कि.ग्रा. से अधिक और 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

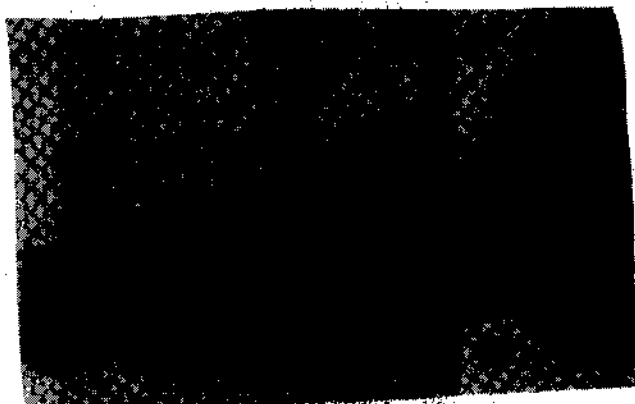
[फा. सं. डब्ल्यू एम 21(48)/2007]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th April, 2007

S.O. 1190.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) (hereinafter referred to as the said Act) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument with digital indication (Person Weighing Machine-coin operated with or without ticket printing facility) of medium accuracy (Accuracy class-III) belonging to 'VE-PWS' series with brand name "K. TECH" (herein referred to as the said model), manufactured by M/s. Vespa Electronics, # 21-A, Selvarajapuram, Chinnamapi, Padur, Coimbatore-641103 and which is assigned the approval mark IND/09/07/109;



The said model is a strain gauge type load cell based weighing instrument with the maximum capacity of 150 kg and minimum capacity is 2 kg. The verification scale interval (e) is 100 g. The display is of Light Emitting Diode (LED) type. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity in the range of 100 kg to 200 kg with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5 g or more and with 'a' value 1×10^0 , 2×10^0 , 5×10^0 , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

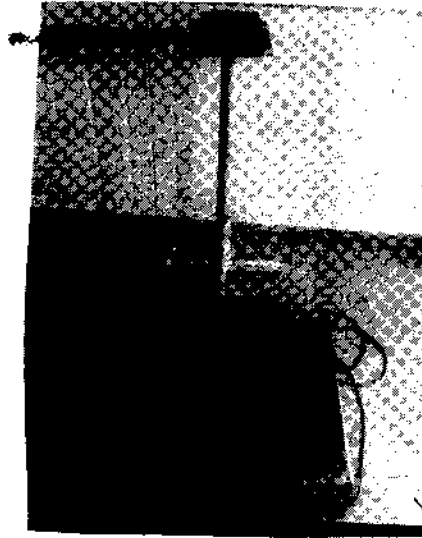
[F. No. WM-21(48)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 10 अप्रैल, 2007

का.आ. 1191.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स 'मैल्स आटोमेशन लि.', प्लॉट नं. 173, डेवल्पड प्लॉट एस्टेट, पेरुंगुडी, चेन्नई-600 096 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एम ए-5250" शृंखला के स्वतः सूचक, अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के माडल का, जिसके ब्रॉड का नाम "मैल्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/107 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

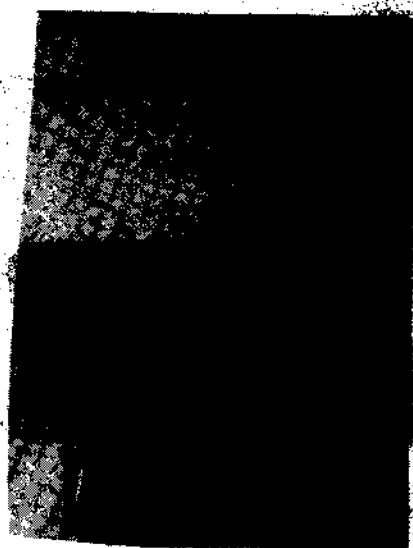
[फा. सं. डब्ल्यू एम-21 (46)/2007]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th April, 2007

S.O. 1191.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "MA-5250" series of medium accuracy (Accuracy class-III) and with brand name "MELLS" (herein referred to as the said model), manufactured by M/s. Mells Automation Limited, Plot No. 173, Developed Plots Estate, Perungudi, Chennai-600 096 and which is assigned the approval mark IND/09/07/107;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000kg. and minimum capacity is 4kg. The verification scale interval (e) is 200g. It has tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50kg. and up to 5000kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^1 , 2×10^1 , or 5×10^1 , 'e' being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which the said approved model has been manufactured:

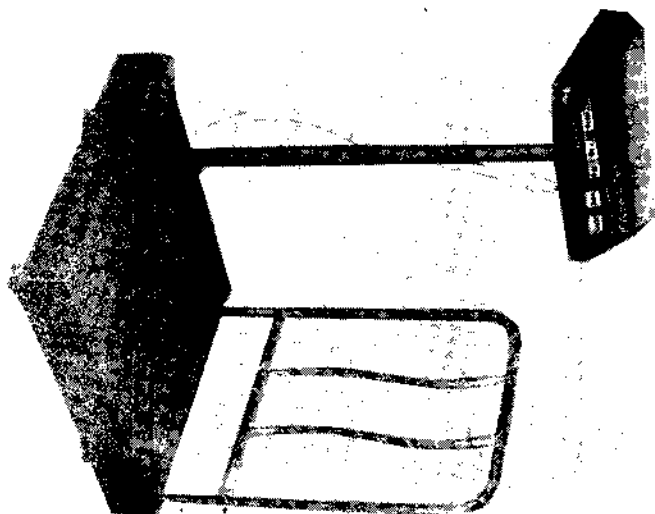
[F. No. WM-21 (46)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 10 अप्रैल, 2007

का.आ. 1992 के राष्ट्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित प्रमाण (एन सी सी आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) विनियम, 1977 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स सिटीजन स्केल (ई) प्रा. लि. द्वारा बनाए गए पार्केट, एडज्वाइमिंग प्रच और टी सी पेट्रोल पम्प, सैक्टर-2, तहसील-कसौली, परवानू-173 220, हिमाचल प्रदेश द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "सी टी बी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सिटीजन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी 100/17/1997 प्रदर्शित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेट फार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 2090 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(37)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th April, 2007

S.O. 1192.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of continued use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "CTB" series of high accuracy (Accuracy class-II) and with brand name "CITIZEN" (herein referred to as the said model), manufactured by M/s. Citizen Scale (I) Pvt. Ltd., 1st Floor, Vidya Market, Adjoining H.R.T.C. Petrol Pump, Sector-2, Tehsil-Kasauli, Patwardi-175 220, H.P. and which is assigned the approval mark IND/09/07/132.



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 2000kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its materials, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity range above 50kg. and up to 5,000kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg. and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^4 , 2×10^4 or 5×10^4 , being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

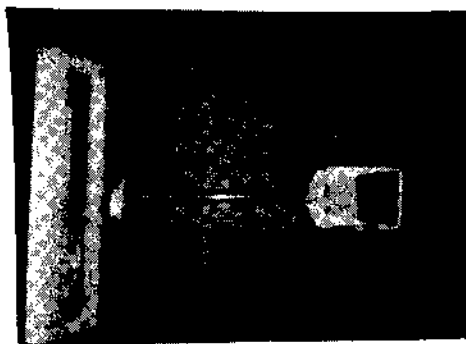
[F.No. WM-21 (37)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 10 अप्रैल, 2007

का.आ. 1193.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स में. डब्ल्यू बैल स्कोल्स कम्पनी, 37, 14वां क्रॉस, "ए" स्ट्रीट, मगडी रोड, दसराहल्ली, बंगलौर-560 079 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बी बी-टी टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के माडल का, जिसके ब्रांड का नाम "डब्ल्यू बैल" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/70 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।



उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टाप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को विक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 कि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , हैं जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

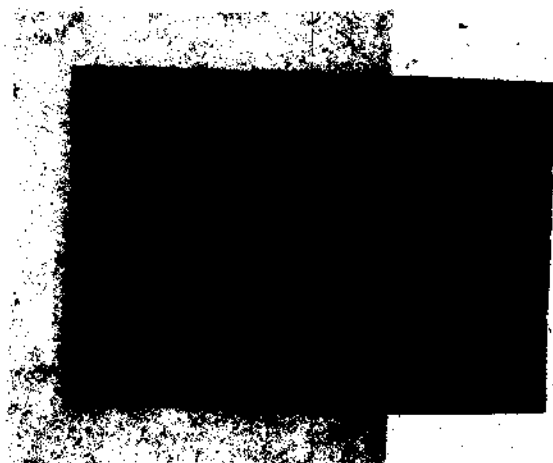
[फा. सं. डब्ल्यू एम-21(40)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th April 2007

S.O. 1193.— Whereas the Central Government, after considering the report submitted to it by the approved authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (5) and (6) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (table top type) weighing instrument with digital indication of "BB-TT" series of medium accuracy (accuracy class III) and with brand name "BLUE BELL" (herein referred to as the said model), manufactured by M/s. Blue Bell Scales Company, # 37, 1st Cross, A Street, Magadi Road, Dasarahalli, Bangalore-560 079 and which is assigned the approval mark IND 07/07/93;



The said model is a strain gauge type load cell based non-automatic weighing instrument (table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its materials, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also apply to all similar models of similar make, accuracy and performance of same series with mechanical type weighing cells of the same range of 100 to 10,000 for 'e' value of 100mg. to 2g. or with electronic type weighing cells of the same range of 100 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^4 , 2×10^4 , or 5×10^4 kg being a positive or negative value, provided that the said models are manufactured by the same manufacturer in accordance with the same principle, design and with the same material with which, the said approved model has been manufactured.

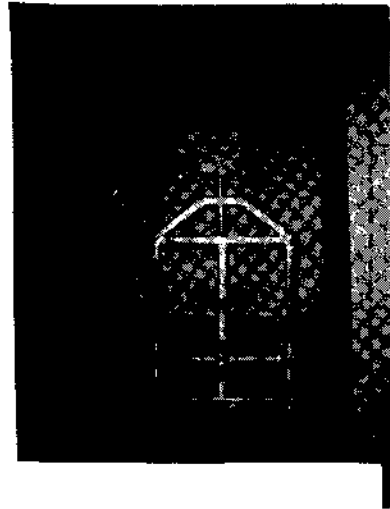
[F.No. WD-21(49)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 10 अप्रैल, 2007

का.आ. 1194.--केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ब्ल्यू बैल स्केल्स कम्पनी, #37, 14वां क्रॉस, "ए" स्ट्रीट, मगडी रोड, दसराहल्ली, बंगलूर-560 079 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बी बी-पी एस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ब्ल्यू बैल" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/71 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सोलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

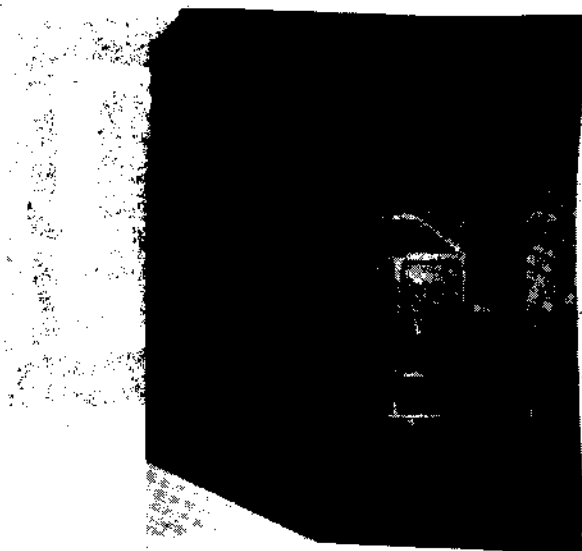
[फा. सं. डब्ल्यू एम-21 (40)/2007]

आर माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 10th April, 2007

S.O. 1194.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self-indicating, non-automatic (Platform type) weighing instrument with digital indication of "BB-PS" series of medium accuracy (accuracy class-III) and with brand name "BLUE BELL" (herein referred to as the said model), manufactured by M/s. Blue Bell Scales Company, # 37, 14th Cross, 'A' Street, Magadi Road, Dasarahalli, Bangalore-560 079 and which is assigned the approval mark IND/09/07/71;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same material with which, the said approved model has been manufactured.

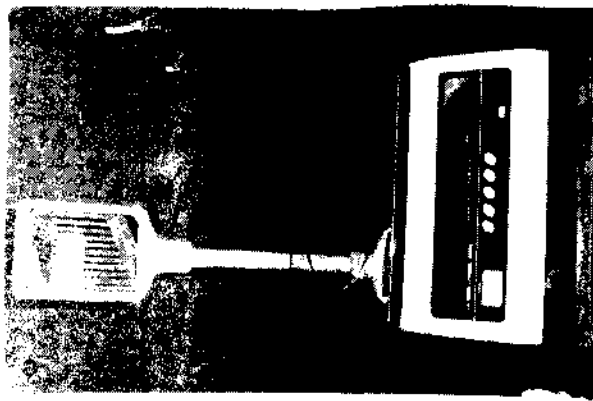
[F. No. WM-21 (40)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

* का.आ. 1195.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इनटेल इलेक्ट्रॉनिक्स प्रा. लि., श्रीरंगापल्लयम मेन रोड, विसेंट, सलेम-636007 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "ई एस टी" शृंखला के अक्षक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "इनटेल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/123 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करता है।



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित (अस्वचालित टेबल टॉप) प्रकार का तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शून्य प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैपिंग प्रत्येक मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} के हैं जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

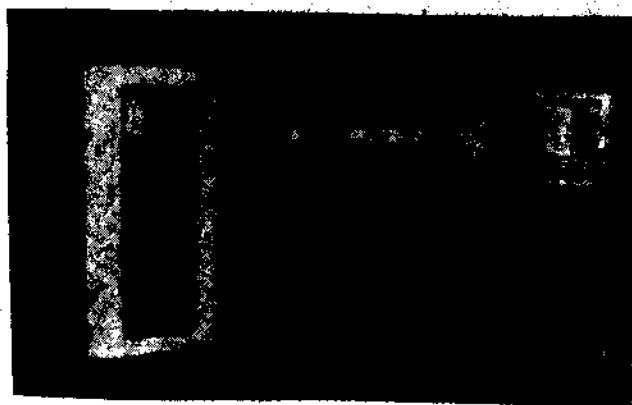
[फा. सं. डब्ल्यू एम-21(50)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April 2007

S.O. 1195.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "EST" series of medium accuracy (Accuracy class-III) and with brand name "INTAL" (herein referred to as the said model), manufactured by M/s. Intal Electronics, No. 27, Srirangapalayam Main Road, Vincent, Salem-636007 and which is assigned the approval mark IND/09/07/123;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its materials, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same material with which, the said approved model has been manufactured.

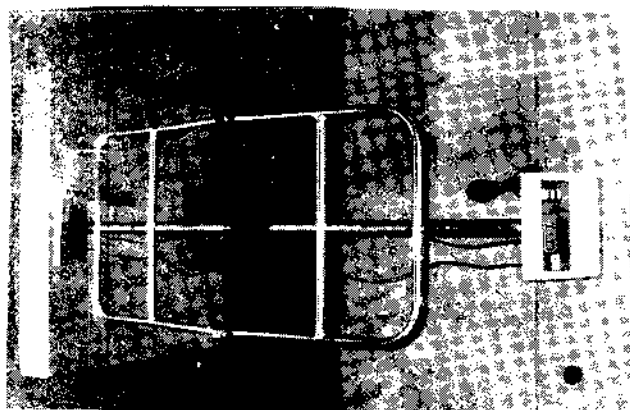
[F.No. WM-21 (50)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1991 के अधिनियम का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नाम दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1977 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स इन्टेल इलेक्ट्रॉनिक्स, नं. 27, श्रीरंगपल्लयम मैन रोड, विसेंट, सलेम-636007 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "ई एस पी" शृंखला के अक्षक मूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के माडल का, जिसके ब्रांड का नाम "इनटेल" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/124 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।



उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

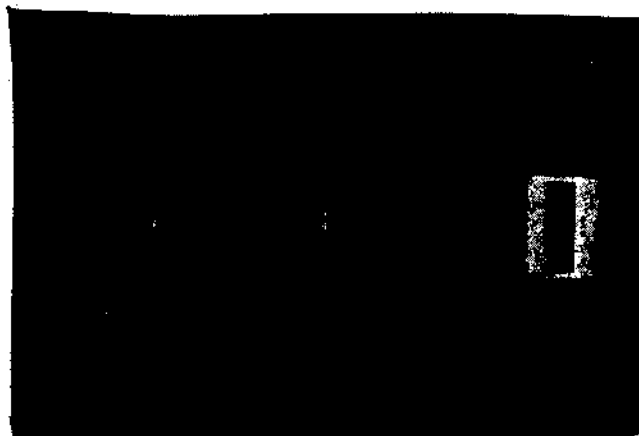
[फा. सं. डब्ल्यू एम-21(50)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1196.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the said indicating, non-automatic (Platform type) weighing instrument with digital indication of "ESP" series of medium accuracy (Accuracy class III) and with brand name "INTAL" (herein referred to as the said model), manufactured by M/s. Intal Electronics, No. 27, Srirangapalayam Main Road, Vincent, Salem-636007 and which is assigned the approval mark IND/09/07/124,



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its materials, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg and upto 5000kg and with number of verification scale interval (n) in the range of 500 to 10,800 for 'e' value of 5g or more and with 'e' value of 1×10^4 , 2×10^4 , or 5×10^4 , bearing the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

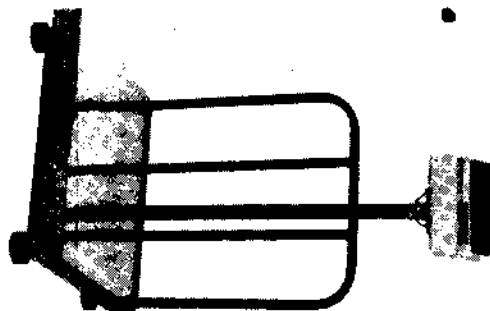
[F.No. WM-21(50)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1197.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल व्यापकता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स लुहार बालूजी रामजी, सावरकुण्डला द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एल बी आर-410" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "लिओपार्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/73 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका रत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्ट्रॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(26)/2007]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S.O. 1197.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform type) with digital indication of "LVR-410" series of medium accuracy (Accuracy class-III) and with brand name "LEOARD" (herein referred to as the said model), manufactured by M/s. Luhar Valji Ramji, Savarkundla and which is assigned the approval mark IND/09/07/73;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its materials, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and upto 5000 kg, with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1x10⁻¹, 2x10⁻¹, 5x10⁻¹, where k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

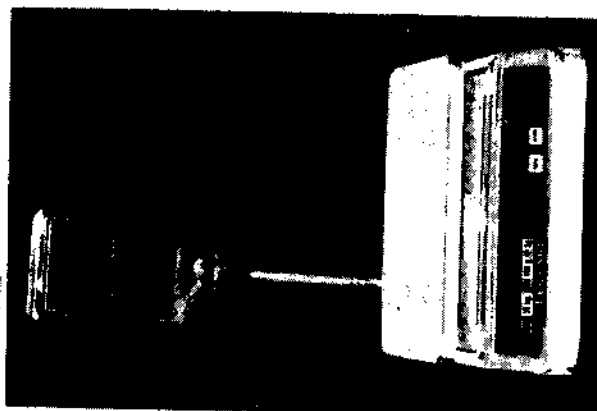
[F.No. WM-21(26)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 16 अप्रैल, 2007

का.आ. 1198.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स सुहार काल्जी रामजी, सावरकुण्डला द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एल बी आर-112" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "लिओपार्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/07/72 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टाप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

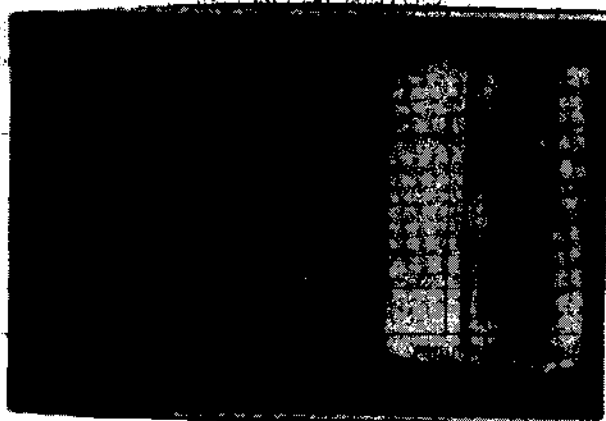
[फा. सं. डब्ल्यू एम-21(26)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th April, 2007

S. O. 1198.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Tabletop type) with digital indication of "LVR-112" series of medium accuracy (accuracy class-III) and with brand name "LEOPARD" (herein referred to as the said model), manufactured by M/s. Luhar Valji Ramji, Savarkundla and which is assigned the approval mark IND/09/07/72;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its materials, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21 (26)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 12 अप्रैल, 2007

का.आ. 1199.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (कों) की संख्या, वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन स्थापित होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 14712: 1999 पिटवां ऐल्यूमिनियम एवं उसकी मिश्रधातुएं—सामान्य इंजीनियरी प्रयोजनों के चलाए के लिए प्रयुक्त चारखानेदार चदरें—विशिष्ट	संशोधन की संख्या 1	1 मार्च, 2007

इन संशोधनों की प्रतियाँ भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: एमटीडी 7/टी-103]

डा. (श्रीमती) स्नेह भाटला, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

BUREAU OF INDIAN STANDARDS

New Delhi, the 12th April, 2007

S.O. 1199.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. & Year of the Indian Standards Established	No. & Year of the Indian Standards, if any, Superseded by the New Indian Standards	Date of Established
(1)	(2)	(3)	(4)
1.	IS 14712: 1999 Wrought Aluminium and alloys—Chequered/Tread sheets for general engineering purposes—Specification	Amendment No. 1	1 March, 2007

Copy of this Standards is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. MTD 7/T-103]

Dr. (Mrs.) SNEH BHATLA, Scientist 'F' & Head (Met Engg.)

नई दिल्ली, 17 अप्रैल, 2007

का.आ. 1200.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(को) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 3502: 1994 इस्पात की चारखानेदार प्लेटें विशिष्ट (दूसरा पुनरीक्षण)	संशोधन की संख्या 2 दिसम्बर 2005	11-4-2007

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: एमटीडी 4/टी-95]

डा. (श्रीमति) स्नेह भाटला, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 17th April, 2007

S.O. 1200.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 3502 : 1994 Steel chequered plates— Specification (Second revision)	Amendment No. 2 December 2005	11-4-2007

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. MTD.4/T-95]

Dr. (Mrs.) SNEH BHATLA, Scientist 'F' & Head (MTD)

नई दिल्ली, 19 अप्रैल, 2007

क्र.आ. 1201.—भारतीय मानक ब्यूरो नियम, 1987 के नियम, 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं:—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक(कों) की संख्या और वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 9857: 1990 की संशोधन संख्या 1	1, जनवरी 2007	1-6-2007

इस भारतीय संशोधनों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110 002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलूर, भोपाल, भुवनेश्वर, कोयंबटूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में मिली जेदु उपलब्ध हैं।

[संदर्भ: ईटी 9/टी-78]

पी. के. मुखर्जी, वैज्ञ. 'एफ.' एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 19th April, 2007

S.O. 1201.—In pursuance of clause (b) of sub-rule (1) of Rules 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and Year of the Indian Standards	No. and Year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 9857 : 1990 Welding Cables— Specification	1, January 2007	1-6-2007

Copy of this Amendment is available with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. ET 9/T-78]

P. K. MUKHERJEE, Sc. 'F' & Head (Electro-Technical)

नई दिल्ली, 20 अप्रैल, 2007

का.आ. 1202,---भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के नियम 4 के उप-नियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिम लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :-

अनुसूची

क्रम सं.	लाइसेंस सं.	चालू तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक व संबंधित भारतीय मानक
(1)	(2)	(3)	(4)	(5)
मार्च 2007				
1.	8794814	27-2-2007	मैसर्स श्री लक्ष्मी इंजीनियरिंग वर्क्स, 5, 6/5, हैवी औद्योगिक क्षेत्र, जोधपुर, (राजस्थान)	8034 : 2002 सबमर्सिबल पम्पसेट
2.	8795614	28-2-2007	मैसर्स सराफ मनोहरलाल एण्ड कंपनी, श्री राम बाजार, बांसवाड़ा-327 001 (राजस्थान)	1417 : 1999 स्वर्णाभूषणों की हॉलमार्किंग
3.	8795412	28-2-2007	मैसर्स स्वर्णदीप ज्वैलर्स प्रा. लि., 144, मोती चोहट्टा, उदयपुर-313 001 (राजस्थान)	1417 : 1999 स्वर्णाभूषणों की हॉलमार्किंग
4.	8777006	1-3-2007	मैसर्स भोतेश्वरी फूड एण्ड बेवरेजेनेस, रणकपुर रोड, गांव-धूर, तहसील-गिरवा जिला-उदयपुर-313 011 (राजस्थान)	14543 : 2004 बोतलबन्द पीने का पानी
5.	8798216	5-3-2007	मैसर्स कृषि कैमीकल्स, ई-13, बगरू विस्तार, औद्योगिक क्षेत्र बगरू, जयपुर-303 007 (राजस्थान)	8944 : 1978 क्लोरोपाईरिफॉस 20% ई.सी.
6.	8799319	14-3-2007	मैसर्स एस.डी. ज्वैलर्स, कस्तूर कॉम्प्लैक्स भगवानदास मार्ग, तबेला रोड, सीकर-332001 (राजस्थान)	1417 : 1999 स्वर्णाभूषणों की हॉलमार्किंग
7.	8800173	19-3-2007	मैसर्स प्रिया केबल इण्डस्ट्रीज, एफ-77, करतारपुरा औद्योगिक क्षेत्र, 22 गोदाम, जयपुर (राजस्थान)	694 : 1990 पीवीसी इन्सुलेटेड केबल्स
8.	8799824	19-3-2007	मैसर्स बी.एम. ज्वैलर्स, जी-10, अप्सरा कॉम्प्लैक्स, आजाद चौक, भीलवाड़ा-311 001 (राजस्थान)	1417 : 1999 स्वर्णाभूषणों की हॉलमार्किंग
9.	8800880	20-3-2007	मैसर्स जे.के.जे. एण्ड सन्स ज्वैलर्स दुगड बिल्डिंग, एम.आई. रोड, जयपुर (राजस्थान)	2112 : 2003 रजत आभूषणों की हॉलमार्किंग
10.	8801781	23-03-2007	मैसर्स विनय पम्प (इण्डिया) प्रा.लि., एफ-796, रोड नं. 14, विश्वकर्मा औद्योगिक क्षेत्र, जयपुर-302 013 (राजस्थान)	15500 (भाग 5) : 2004 डीपवैल हैण्ड पम्प कम्पोनेन्ट्स —कास्ट आयरन
11.	8801983	23-03-2007	मैसर्स विनय पम्प (इण्डिया) प्रा.लि., एफ-796, रोड नं. 14, विश्वकर्मा औद्योगिक क्षेत्र जयपुर-302 013 (राजस्थान)	15500 (भाग 7) : 2004 डीपवैल हैण्ड पम्प कम्पोनेन्ट्स —रबड़
12.	8801882	23-03-2007	मैसर्स विनय पम्प (इण्डिया) प्रा. लि., एफ-796, रोड नं. 14, विश्वकर्मा औद्योगिक क्षेत्र, जयपुर-302 013 (राजस्थान)	15500 (भाग 6) : 2004 डीपवैल हैण्ड पम्प कम्पोनेन्ट्स —लेडेड टिन ब्रॉज

(1)	(2)	(3)	(4)	(5)
13.	8797012	06-03-2007	मैक्स हरि ओम कास्टिंग उद्योग, ए-200-201, कर्मवी विहार, रोड नं. 17, बिरबकर्म औद्योगिक क्षेत्र, जयपुर-302 013	15500 (भाग 6) : 2004 डीपवेल ईन्च पम्प कॉम्पोनेन्ट्स —सेडेड टिन ब्रॉन (राजस्थान)
14.	8796414	06-03-2007	मैक्स ओम्सकॉस प्रोपर्टी प्रा. लि., 139, औद्योगिक क्षेत्र, होरवारा, जयपुर-302 012 (राजस्थान)	7098 (भाग 1) : 1988 क्रॉसलिन्क पोलीथिलीन इन्सुलेटेड पीवीसी शिथेड केबल

(सू. सी.एम.डी. 13 : 111)

एन. के. चौधरी, डी. जे. प्रो. (मार्क)

New Delhi, the 20th April, 2007

S.O. 1292.— In pursuance of sub-regulation (5) of regulation (4) of the Bureau of Indian Standards (Certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule.

SCHEDULE

Sr. No.	Licence No. (CM/L—)	Operative Date	Name and Address of the Licensee	Article/Process Covered by the licence and the relevant IS : Designation
MAR 2007				
1.	8794814	27-02-2007	Shri Laxmi Engineering Works, S-8/5, Heavy Industrial Area, Jodhpur, Rajasthan	8034 : 2002 Submersible Pumps
2.	8795614	28-02-2007	Saraf Manohar Lal and Company, Shri Ram Bazar, Banswara-327001, Rajasthan	1417 : 1999 Hallmarking of Gold Jewellery
	8795412	28-02-2007	Singhdeep Jewellers Pvt. Ltd., 144, Moti Chohatta, Udaipur-313001, Rajasthan	1417 : 1999 Hallmarking of Gold Jewellery
	8777006	01-03-2007	Moteshwari Food & Beverages, Ranikpur Road, Village Thoor, Tehsil: Orva, Distt: Udaipur-313011, Rajasthan	14543:2004 Packaged Drinking Water
5.	8798216	05-03-2007	Krishti Chemicals, E-13, Bagru Extn., Industrial Area Bagru, Jaipur-308007, Rajasthan	8944: 1978 Chlorpyrifos 20% EC
6.	8799319	14-03-2007	S.D. Jewellers, Kastoor Complex, Bhawani Das Marg, Tonk Road, Sikar-332001, Rajasthan	1417: 1999 Hallmarking of Gold Jewellery
7.	8800173	19-03-2007	Priya Cable Industries, F-77, Kartarpur Industrial Area, Bala Godown, Jaipur, Rajasthan	694 : 1990 PVC Insulated Cable
8.	8799824	19-03-2007	B.M. Jewellers, G-10, Apasara Complex, Anand Chowk, Bhilwara-311001, Rajasthan	1417 : 1999 Hallmarking of Gold Jewellery
9.	8800880	20-03-2007	J.K. & Sons Jewellers, Dagar Building, M.I. Road, Jaipur, Rajasthan	2112 : 2003 Hallmarking of Silver Jewellery
10.	8801781	23-03-2007	Viney Pump (India) Pvt. Ltd., F-795 Road No. 14, V. K. I. Area, Jaipur-302013, Rajasthan	15500 (Part 5) : 2004 Deepwell Components—Cast Iron
11.	8801983	23-03-2007	Viney Pump (India) Pvt. Ltd., F-795, Road No. 14, V.K.I. Area, Jaipur-302013, Rajasthan	15500 (Part 7) : 2004 Deepwell Components—Rubber
12.	8801882	23-03-2007	Viney Pump (India) Pvt. Ltd., F-795, Road No. 14, V.K.I. Area, Jaipur-302013 Rajasthan	15500 (Part 6) : 2004 Deepwell Components—L.T.B.
13.	8797012	06-03-2007	Harl Om Casting Udyog, A-200-201, Karmi Vihar, Road No. 17, V.K.I. Area, Jaipur 302013, Rajasthan	15500 (Part 6) : 2004 Deepwell Components—L.T.B.
14.	8796414	06-03-2007	Oswal Cables Private Limited, 139, Industrial Area, Jhorwara, Jaipur-302012, Rajasthan	7098 (Part 1) : 1988 Crosslinked Polyethylene Insulated P.V.C. Sheathed Cable

(No. CMD/13 : 111)

S.K. CHAUDHURI, Dy. Director General (Marks)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 23 अप्रैल, 2007

का. आ. 1203.- केंद्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 258, तारीख 18 जनवरी, 2005 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, मैसर्स रिलाएंस गैस ट्रान्सपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड पूर्व में मैसर्स रिलाएंस गैस पाइपलाइन्स लिमिटेड की संप्रवर्तक कंपनी मैसर्स रिलाएंस इंडस्ट्रीस लिमिटेड के काकिनाडा - हैदराबाद ट्रंकलाइन से आन्ध्रप्रदेश राज्य में पूर्वी गोदावरी जिले के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिये मैसर्स रिलाएंस गैस ट्रान्सपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 01 मार्च, 2005 को उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के संबंध में, जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अननुज्ञात कर दिया गया;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केंद्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केंद्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिये उपयोग के अधिकार का अर्जन किया जाता है;

और केंद्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केंद्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त, मैसर्स रिलायन्स गैस ट्रान्सपोर्टेशन इन्फ्रास्ट्रक्चर लिमिटेड में निहित होगा।

अनुसूची

मंडल : आतेयपरम		जिला : ईस्ट गोदावरी		राज्य : आंध्रप्रदेश		
गाँव का नाम	सर्वे नंबर/ सब डिविजन नंबर	आर ओ यू अर्जित करने के लिए क्षेत्रफल				
		हेक्टेयर	एयर	सि एयर		
1	2	3	4	5		
1) कट्टुग	34	(जि एल)	00	02	45	
	35/7		00	02	05	
	35/8ए		00	08	50	
	35/8बि	(जि एल)	00	00	80	
	35/5		00	05	90	
	35/10		00	02	90	
	38/1बि1	(सि एल)	00	00	65	

1	2	3	4	5
1) कटदुग निरीति	38/12	00	12	88
	38/2	00	04	78
	38/3	00	04	40
	38/4	00	04	25
	38/5	00	03	88
	45/3	00	10	05
	45/4	00	11	50
	46/2	00	07	35
	46/3	00	06	80
	46/4	00	00	80
	46/7	00	12	80
	49/4	00	02	70
	49/5	00	05	10
	49/7	00	06	80
	49/8	00	04	40
	49/11	00	09	85
	49/12	00	08	88
	50/2	00	13	70
	50/5	00	13	20
	42/2	00	13	15
	68	00	40	58
	67/2	00	06	58
	70/1	00	12	10
	70/3	00	15	25
	70/2	00	03	95
	71/1	00	01	40
	71/2	00	12	40
	71/3	00	11	50
	74/1	00	11	10
	74/2	00	28	75
	81/1	00	01	20
	91/7	00	02	20
	91/8	00	01	35
	77	00	07	85
	85/5	00	13	88
	85/3	00	01	80
	85/4	00	00	20
	84/1	00	02	45
	84/1	00	00	80
	84/2	00	19	80
	84/5	00	06	20
	83/2	00	07	10
	83/6	00	07	05
	83/10	00	02	85
	88	00	01	25
	174/1	00	01	80
	174/2	00	03	40
	180	00	24	80

(सि ए ल)

(सि ए ल)

(सि ए ल)

(सि ए ल)

(सि ए ल)

1	2	3	4	5	
1) कलकत्ता (मिटर)	179		00	23	80
	181	(सि एल)	00	16	30
	183/1		00	20	80
	185/1	(सि एल)	00	03	15
2) लोखना	16/1		00	28	15
	17/1		00	14	05
	20/1ए	(सि एल)	00	00	80
	20/1बि		00	09	45
	20/2		00	00	55
	20/4बि		00	10	85
	20/5		00	08	55
	20/6		00	08	85
	20/7		00	06	65
	20/8		00	06	00
	21/1		00	28	75
	21/2		00	00	80
3) अंकमपालेम	8	(सि एल)	00	01	75
	7/1		00	07	75
	6/1		00	18	30
	6/2		00	00	45
	6/3		00	04	70
	6/4		00	13	25
	32/4		00	03	15
	32/3		00	00	05
	32/5		00	05	20
	32/6		00	00	10
	32/7ए		00	08	45
	32/8ए		00	10	25
	32/18ए		00	13	95
	32/19		00	02	20
	32/18	(सि एल)	00	05	70
	31/1		00	00	35
	31/2		00	13	30
	48/3		00	10	05
	48/4		00	18	30
	49/1		00	00	20
	49/4		00	03	45
	49/5		00	04	65
	50/6		00	03	40
	50/7	(सि एल)	00	22	20
	60		00	04	20
	58/8ए		00	02	95
	61/1	(सि एल)	00	48	90
	61/2		00	02	30
	61/3		00	05	65
	58/8ए		00	02	15
	62/1		00	00	65
	57/2ए		00	13	25
	57/5ए		00	15	60

1	2	3	4	5
3) अक्षयपत्र (निरंतर)	88/4	00	04	45
	88/1ए	00	02	85
	88/2ए	00	06	35
	88/3ए	00	09	40
	88/4	00	12	10
	88/5	00	11	60
	88/6	00	10	08
	88/7	00	08	50
	88/2	00	18	70
	71/1	00	00	55
	85/1	00	03	80
	85/2	00	07	75
	85/3	00	20	45
	85/4ए	00	01	85
	86/4	00	00	60
	86/5	00	00	30
	84/4ए	00	24	35
	84/4बि	00	02	25
	79/1	00	04	35
	80/1	00	20	75
	80/2	00	18	25
	81	00	11	80
	79/5	00	08	50
4) यल्लि	50	00	05	45
	55/1ए	00	40	30
	55/1बि	00	00	25
	56/8	00	00	55
	56/9	00	03	85
	57/1बि	00	02	60
	57/3	00	06	75
	57/2बि	00	00	05
	57/7बि	00	09	85
	57/8	00	07	00
	57/10	00	08	60
	63/1	00	07	90
	63/6	00	04	30
	63/8	00	04	70
	63/11	00	08	85
	63/12	00	07	00
	63/15	00	00	50
	63/13	00	02	30
	63/14	00	04	90
	69/1ए	00	00	45
	69/3बि2	00	12	65
	69/4	00	19	15
	68/2	00	69	30
	67/2	00	01	75
	67/1	00	00	60
	110/7	00	23	35

1	2	3	4	5
4) वॉल (मिटर)	110/5	00	06	35
	114/2ए	00	00	45
	114/4ए	00	03	15
	114/5ए	00	06	85
	111/11	00	01	05
	111/12	00	06	30
	111/13	00	07	85
	111/14ए	00	02	70
	111/15लि	00	14	70
	111/18ए	00	02	30
	112 (सि एल)	00	04	25
	99	00	54	00
	96	00	09	70
	95/5 (सि एल)	00	15	10
	199	00	04	55
	200/3	00	23	90
	200/4	00	09	10
	202/1	00	00	15
	223/1लि	00	18	70
	223/1ए (सि एल)	00	01	25
	223/2लि	00	13	70
	223/3	00	08	20
	222/2	00	13	00
	212/1लि	00	00	10
	222/1	00	03	10
	212/2	00	04	90
	212/3	00	08	70
	212/4	00	03	30
	211/16	00	00	05
	211/17	00	09	95
	211/18 (सि एल)	00	00	95
	210	00	03	55
	314/3	00	10	60
	314/4	00	04	75
	314/5	00	00	10
	312	00	58	05
	313/2	00	03	55
	316 (सि एल)	00	03	95
	317/1	00	08	70
	317/2	00	16	85
	318/2	00	00	40
	325/4	00	14	20
	325/3	00	01	95
	325/9ए	00	11	30
	325/10ए	00	10	90
	326/2ए2	00	18	85
	327	00	34	20
	328/2	00	13	35

	2	3	4	5
4) याली (मिडलर)	328/4	86	18	95
	346	00	03	85
	348/4	00	01	25
	344/1	00	09	30
	344/2	00	02	40
	344/2	00	05	00
	344/4	00	11	30
	344/5	00	05	70
	344/6	00	10	60
	342/3	00	15	45
	343	00	07	05
	383	00	29	30
	384/1	00	15	75
	384/4	00	16	65
	385/1	00	09	55
	385/2	00	26	85

मंडल : रावुलपालेम

जिला : ईस्ट गोदावरी

राज्य : आंध्रप्रदेश

1) लक्ष्मीपोलवराम	123	00	03	35
	122/2	00	06	45
	124/1	00	21	30
	124/2	00	07	75
	124/3	00	14	75
	132/1	00	00	25
	125/3	00	05	30
	125/7	00	08	95
	125/4	00	06	10
	125/5	00	03	55
	125/10	00	03	90
	125/11	00	06	55
	126/3	00	02	25
	126/4	00	04	40
	126/5	00	07	25
	126/10	00	05	30
	126/11	00	08	65
	126/12	00	01	15
	128/5	00	05	65
	128/6	00	06	65
	128/7	00	21	75
	108/1	00	09	05
	107/1	00	08	65
	108/6	00	10	15
	106/6	00	09	55
	106/7	00	09	90
	105/2	00	24	00
	105/1	00	00	30
	105/4	00	00	15
	105/5	00	14	65
	102/1	00	26	75
	104/2	00	11	95

1	2	3	4	5
1) लक्ष्मीजालवराम (निरंतर)	104/3	00	19	50
	103	00	03	60
	74/1	00	24	80
	74/3	00	00	60
	238	00	03	30
	237/6	00	00	45
	237/7	00	04	45
	237/8	00	06	55
	237/10	00	05	45
	237/11	00	05	55
	237/12	00	04	85
	237/13	00	03	80
	240	00	01	95
	241/1	00	04	55
	241/2	00	12	60
	241/3	00	00	95
	242/6	00	09	15
	242/5	00	17	75
	243/1	00	11	30
	243/2	00	02	30
	243/4	00	12	55
	243/6	00	08	30
	243/9	00	22	00
	244/1	00	10	20
	244/3	00	07	85
	244/2	00	00	35
	244/5	00	23	25
	229/2	00	17	05
	229/3	00	03	45
	229/7	00	05	60
	229/4	00	01	00
	253/11	00	26	25
	253/9	00	00	40
	253/8	00	05	95
	253/7	00	05	35
	253/4	00	06	25
	253/5	00	09	65
	267	00	03	95
	263/1	00	29	50
	263/2	00	27	55
	262	00	02	90
	261/1ए	00	08	40
	265/2	00	12	95
	267	00	02	00
2) वेदिश्वराम	62/2	00	23	80
	63/1	00	17	25
	72/1	00	21	20
	71/1	00	03	15
	72/3	00	07	40

1	2	3	4	5
2) वीरशैल (नितर)	74/2	00	27	80
	70/1	00	08	35
	70/2	00	00	05
	70/3	00	15	05
	70/5	00	04	00
	70/6	00	11	80
	80	00	04	10
	78/6	00	01	85
	79/1	00	08	70
	79/4	00	10	90
	79/5	00	08	95
	79/3	00	00	75
	84/1	00	42	80
	82/1	00	03	50
	82/2	00	11	15
	82/3	00	12	95
	109/1	00	04	55
	109/3	00	00	40
	109/4	00	16	40
	109/5	00	07	80
	134/1	00	10	30
	134/7	00	11	10
	134/5	00	02	40
	134/6	00	13	60
	134/9	00	18	10
	133/4	00	04	80
	104	00	00	80
	103/2	00	08	80
3) केदारगुफा	108	00	06	20
	111/1	00	00	05
	111/2	00	07	55
	111/3	00	02	25
	111/8	00	00	25
	111/10	00	10	35
	111/9	00	03	15
	111/11	00	03	30
	110/2	00	05	35
	110/7	00	05	45
	110/8	00	08	15
	110/9	00	07	70
	110/10	00	05	75
	110/22	00	00	70
	109/1	00	00	55
	109/4	00	01	15
	109/5	00	05	80
	109/6	00	00	45

1	2	3	4	5
3) केतराजुपल्ले (निरंतर)	108/8	00	13	80
4) देवरपल्ले	151/4	00	19	55
	151/3	00	10	40
	152 (सि.एल.)	00	01	25
	153 (सि.एल.)	00	00	50
	139-1	00	06	70
	140-1	00	04	50
	140-2	00	00	05
	141-1	00	27	45
	141-2	00	21	05
	140-5	00	08	10
	150 (सि.एल.)	00	14	60
	17/3 (सि.एल.)	00	00	50

[फा. सं. एल-14014/46/2004-जी. पी.]

एस. बी. मण्डल, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 23rd April, 2007

S.O. 1203. - Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 258 dated the 18th January 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the schedule appended to that notification for the purpose of laying pipeline for transportation of natural gas from the trunkline of Kakinada-Hyderabad Pipeline of M/s Reliance Gas Transportation Infrastructure Limited formerly known as M/s Reliance Gas Pipelines Limited, a company promoted by M/s Reliance Industries Limited, to the various consumers of East Godavari District in the State of Andhra Pradesh;

And whereas the copies of the said Gazette notification were made available to the public on the 1st of March, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of section 6 of said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of publication of the declaration, in the M/s. Reliance Gas Transportation Infrastructure Limited free from all encumbrances.

Schedule

Mandal : ATREYA PURAM		District : East Godavari		State : Andhra Pradesh	
Village	Survey No./Sub-Division No.	Area to be acquired for ROU			
		Hectare	Are	C-Are	
1	2	3	4	5	
1) KATTUNGA	34	(GL)	00	02	45
	35/7		00	02	05
	35/6A		00	08	50
	35/6B	(GL)	00	00	80
	35/5		00	05	90
	35/10		00	02	90
	36/1B1	(CL)	00	00	65
	36/1B2		00	12	95
	36/2A		00	04	75
	36/3A		00	04	40
	36/4A		00	04	25
	36/5A		00	03	90
	45/3		00	10	05
	45/5A		00	11	50
	46/2		00	07	35
	46/3A		00	06	90
	46/4A		00	00	90
	46/7		00	12	80
	49/4		00	02	78
	49/5		00	05	10
	49/7		00	06	80
	49/9		00	04	40
	49/11		00	09	95
	49/12		00	06	80
	50/2		00	13	70
	50/5		00	13	20
	42/2		00	13	15
	68		00	40	55
	67/2B		00	06	55
	70/1		00	12	10
	70/3		00	15	25
	70/2		00	03	95
	71/1		00	01	40
	71/2		00	12	40
	71/3		00	11	50
	74/1		00	11	10

1	2	3	4	5
1) KATTUNGA (Contd....)	74/2	00	28	75
	91/1B	(GL) 00	01	20
	91/7B	00	02	20
	91/6	00	01	35
	77	(CL) 00	07	85
	85/5	00	13	85
	85/3	00	01	60
	85/4	00	00	20
	84/1A	00	02	45
	84/1B	00	00	80
	84/2	00	19	80
	84/5	00	06	20
	83/2	00	07	10
	83/6	00	07	05
	83/10A	00	02	85
	86	(CL) 00	01	25
	174/1	(CL) 00	01	60
	174/2	(CL) 00	03	40
	180	00	24	80
	179	00	23	60
	181	(CL) 00	16	30
	183/1	00	20	80
	185/1	(CL) 00	03	15
2) LOLLA	16/1	00	28	15
	17/1	00	14	05
	20/1A	(CL) 00	00	80
	20/1B	00	09	45
	20/2	00	00	55
	20/4B	00	10	85
	20/5	00	08	55
	20/6	00	08	85
	20/7	00	06	65
	20/8	00	06	00
	21/1	00	28	75
	21/2	00	00	60
3) ANKAMPALELA	8	(GL) 00	01	75
	7/1	00	07	75
	6/1	00	18	30
	6/2	00	00	45
	6/3	00	04	70
	6/4	00	13	25
	32/4	00	03	15

1	2	3	4	5
3) ANKAMPALEM (Contd....)	32/3	00	00	05
	32/5	00	05	20
	32/6	00	00	10
	32/7A	00	08	45
	32/8A	00	10	25
	32/18A	00	13	95
	32/19	00	02	20
	32/16 (CL)	00	05	70
	31/1	00	00	35
	31/2	00	13	30
	48/3	00	10	05
	48/4	00	18	30
	49/1	00	00	20
	49/4	00	03	45
	49/5	00	04	65
	50/6	00	03	40
	50/7	00	22	20
	60 (CL)	00	04	20
	58/6A	00	02	95
	61/1	00	48	90
	61/2 (CL)	00	02	30
	61/3	00	05	65
	58/8A	00	02	15
	62/1	00	00	65
	57/2A	00	13	25
	57/5A	00	15	60
	88/4	00	04	45
	88/1A	00	02	85
	88/2A	00	06	35
	88/3A	00	09	40
	88/4	00	12	10
	88/5	00	11	60
	88/6	00	10	00
	88/7	00	09	50
	86/2	00	18	70
	71/1	00	00	55
	85/1	00	03	80
	85/2	00	07	75
	85/3	00	20	45
	85/4A	00	01	85
	86/4	00	00	60
	86/5	00	00	30

1	2	3	4	5
3) ANKAMPALAM (Contd)	84/4A	00	24	35
	84/4B	(CL)	00	02
	76/1	00	04	35
	80/1	00	20	75
	80/2	00	18	25
	81	00	11	80
	79/5	00	08	50
4) RYALI	50	(CL)	00	05
	55/1A	00	40	30
	55/1B	(CL)	00	00
	56/8	00	00	55
	56/9	00	03	65
	57/1B	00	02	50
	57/3	00	06	75
	57/2B	00	00	05
	57/7B	00	09	85
	57/8	00	07	00
	57/10	00	08	60
	63/1	00	07	90
	63/6	00	04	30
	63/8	00	04	70
	63/11	00	08	85
	63/12	00	07	00
	63/15	00	00	50
	63/13	00	02	30
	63/14	00	04	90
	69/1A	(CL)	00	00
	69/3B2	00	12	65
	69/4	00	19	15
	68/2	00	69	30
	67/2	(CL)	00	01
	67/1	(CL)	00	00
	110/7	00	23	35
	110/5	00	06	35
	114/2A	00	00	45
	114/4A	00	03	15
	114/5A	00	06	85
	111/11	00	01	05
	111/12	00	06	30
	111/13	00	07	85
	111/14A	00	02	70
	111/15C	00	14	70
	111/18A	00	02	30
	112	(CL)	00	04
	99	00	54	00
	96	00	09	70
	95/5	00	15	10
	199	(CL)	00	04
	200/3	00	23	90
	200/4	00	09	10

	1	2	3	4	5
4) RYALI (Contd....)					
202/1			00	00	15
223/1B			00	18	70
223/1A		(CL)	00	01	25
223/2B			00	13	70
223/3			00	08	20
222/2			00	13	00
212/1B			00	00	10
222/1			00	03	10
212/2			00	04	90
212/3			00	08	70
212/4			00	03	30
211/16			00	00	05
211/17			00	09	95
211/18			00	00	95
210		(CL)	00	03	55
314/3			00	10	60
314/4			00	04	75
314/5			00	00	10
312			00	58	05
313/2			00	03	55
316		(CL)	00	03	95
317/1			00	08	70
317/2			00	16	85
318/2			00	00	40
325/4			00	14	20
325/3			00	01	95
325/9A			00	11	30
325/10A			00	10	90
326/2A2			00	18	85
327			00	34	20
328/3			00	13	35
328/4			00	13	95
345		(CL)	00	03	85
346/4			00	01	25
344/1			00	09	30
344/3			00	02	40
344/2			00	05	00
344/4			00	11	30
344/5			00	05	70
344/6			00	10	60
342/3			00	15	45
343		(CL)	00	07	05
383			00	29	30
384/1			00	15	75
384/4			00	16	65
385/1			00	09	55
385/2			00	26	85

Mandal : RAVULAPALEM

District : East Godavari

State : Andhra Pradesh

1) LAXMIPOLAVARAM

123

(CL)

00

03

35

122/2

00

06

45

124/1

00

21

30

1	2	3	4	5
1) LAXMIPOLAVARAM (Contd....)	124/2	00	07	75
	124/3	00	14	75
	132/1	00	00	25
	125/3	00	05	30
	125/7	00	08	95
	125/4	00	06	10
	125/5	00	03	55
	125/10	00	03	90
	125/11	00	06	55
	126/3	00	02	25
	126/4	00	04	40
	126/5	00	07	25
	126/10	00	05	30
	126/11	00	08	65
	126/12	00	01	15
	128/5	00	05	65
	128/6	00	06	65
	128/7	00	21	75
	108/1	00	09	05
	107/1	00	08	65
	108/6	00	10	15
	106/6	00	09	55
	106/7	00	09	90
	105/2	00	24	00
	105/1	00	00	30
	105/4	00	00	15
	105/5	00	14	65
	102/1	00	26	75
	104/2	00	11	95
	104/3	00	19	50
	103	(CL)	00	03
	74/1		00	24
	74/3		00	00
	238	(GL)	00	03
	237/6		00	00
	237/7		00	04
	237/8		00	06
	237/10		00	05
	237/11		00	05
	237/12		00	04
	237/13		00	03
	240	(CL)	00	01
	241/1		00	04
	241/2		00	12
	241/3		00	00
	242/6		00	09
	242/5		00	17
	243/1		00	11
	243/2		00	02
	243/4		00	12

1	2	3	4	5
1) LAXMIPOLAVARAM (Contd....)	243/6	08	98	80
	243/9	00	22	00
	244/1	00	10	20
	244/3	00	07	85
	244/2	00	00	35
	244/5	00	23	25
	229/2	00	17	05
	229/3	00	03	45
	229/7	00	05	60
	229/4	08	01	00
	253/11	00	26	25
	253/9	00	00	40
	253/8	00	05	95
	253/7	00	05	35
	253/4	00	06	25
	253/5	00	09	65
	267	(GL)	00	03
	263/1	00	29	50
	263/2	00	27	55
	262	(CL)	00	02
	261/1A	00	08	40
	285/2	00	32	95
	287	(GL)	00	02
2) VEDIRESWARAM	62/2	00	23	80
	63/1	00	17	25
	72/1	00	21	20
	71/1	00	03	15
	72/3	00	07	40
	71/2	08	07	90
	70/1	00	08	85
	70/2	00	00	05
	70/3	00	15	05
	70/5	(CL)	00	04
	70/6	00	11	80
	80	(CL)	00	04
	78/6	00	01	55
	79/1	00	08	70
	79/4	00	10	90
	79/5	00	08	95
	79/3	00	00	75
	81/1	00	42	80
	82/1	00	03	50
	82/2	00	11	15
	82/3	00	12	95
	109/1	00	04	55
	109/3	00	00	40
	109/4	00	16	40

1	2	3	4	5
2) VEDIRESWARAN (contd...)	109/5	00	07	60
	134/1	00	10	80
	134/7	00	11	10
	134/5	00	02	40
	134/6	00	13	50
	134/9	00	18	10
	133/4 (CL)	00	04	90
	104 (CL)	00	00	60
	103/2	00	08	60
3) KETARAJUPALLE	106 (CL)	00	06	20
	111/1	00	00	05
	111/2	00	07	55
	111/3	00	02	25
	111/8	00	00	25
	111/10	00	10	35
	111/9	00	03	15
	111/11	00	03	30
	110/2	00	05	35
	110/7	00	05	45
	110/8	00	08	15
	110/9	00	07	70
	110/10	00	05	75
	110/22	00	00	70
	109/1	00	00	55
	109/4	00	01	15
	109/5	00	05	50
	109/6	00	00	45
	108/8	00	13	80
4) DEVARAPALLE	151/4	00	19	55
	151/3	00	10	40
	152 (CL)	00	01	25
	153 (CL)	00	00	50
	139-1	00	06	70
	140-1	00	04	50
	140-2	00	00	05
	141-1	00	27	45
	141-2	00	21	05
	140-5	00	08	10
	150 (CL)	00	14	60
	17/3 (CL)	00	00	50

[F. No. L-14014/46/2004-G.P.]

S. B. MANDAL, Under Secy.

श्रम और रोजगार मंत्रालय

नई दिल्ली, 30 मार्च, 2007

का.आ. 1204.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोटा के पंचद (संदर्भ संख्या औ. न्या./कं. 7/03) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29011/55/2002-आईआर(विधि)]

एन. एस. बोरा, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 30th March, 2007

S.O. 1204.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/07/03) of the Central Government Industrial Tribunal/Labour Court, Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workmen, which was received by the Central Government on 30-3-07.

[No. L-29011/55/2002-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राज.

पीठासीन अधिकारी - के.के. गुप्ता, आर.एच.जे.एस.

रेफरेंस प्रकरण क्रमांक : औ. न्या./केन्द्रीय-7/03

दिनांक स्थापित : 7/3/03

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29011/55/2002/आईआर (एम) दि. 6-2-03

रेफरेंस अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

जम्नाल सेखेटी, राष्ट्रीय मजदूर संघ,

रामगंज मण्डी, जिला कोटा

—प्रार्थी यूनियन

एवं

श्री अतिकुलमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन सेखेटी, जिला कोटा

—अप्राथी नियोजक

उपस्थित.

प्रार्थी यूनियन की ओर से
प्रतिनिधि :-श्री रामगोपाल गुप्ता, मंत्री व
श्री फिरोज आबदी, एड.अप्राथी नियोजक की ओर से
प्रतिनिधि :-श्री अतिकुलमान, प्रबन्धक एवं
श्री दीपक तलवार, एड.

अधिनिर्णय दिनांक :

17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रसंगिक आदेश दिनांक 6-2-03 के अन्तर्गत निम्न रेफरेंस, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1) (घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

“क्या राष्ट्रीय मजदूर संघ (इन्टक) रामगंज मण्डी द्वारा प्रबन्धन श्री अतिकुलमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन खदान मालिक, पीपाखेटी, सुकेत से उसकी खान में कार्यरत कर्मचारों के लिए वित्तीय वर्ष 2000-2001 के लिए 20 प्रतिशत बोनस भुगतान करने की मांग उचित एवं व्यवहार्य है? यदि हाँ तो संबंधित कर्मकार कितने प्रतिशत बोनस भुगतान को हकदार हैं?”

2. रेफरेंस, न्यायाधिकरण से प्राप्त होने पर संबंधित उपर्युक्त पक्षकारों को सुचना विधिवत रूप में जारी की गयी जिस पर प्रार्थी यूनियन की ओर से अपना बलेम प्रस्तुत किया गया।

3. चौराहा विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफरेंस प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसकी शर्त सं. 1 लगायत 5 में वर्णितानुसार सार रूप में यह तय हुआ कि अप्राथी प्रबन्धन द्वारा संस्थान में कार्यरत कर्मचारों को वित्तीय वर्ष 2000-01 (1 अप्रैल, 2000 से 31 मार्च, 2001 तक) के लिए 11% की दर से बोनस का भुगतान, बोनस भुगतान अधिनियम, 1965 के नियमानुसार, यूनियन प्रतिनिधियों के समक्ष दिनांक 15-4-07 तक कर दिया जावेगा। यह भी तय हुआ कि अब लम्बित विवाद में कोई अन्य बिन्दु शेष नहीं रहा है। अतः समझौते के अन्तर्गत अधिनिर्णय अन्तिम रूप से प्रेषित कर दिया जावे।

चूँकि पक्षकारों के मध्य लम्बित रेफरेंस विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत् रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी

विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है।

अधिनिर्णय आज दिनांक 17-2-07 को खुले न्यायाधिकरण में सुनाया गया जिसे नियमानुसार समुचित सरकार को प्रकाशनार्थ भिजवाया जावे।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1205.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोटा के पंचाट (संदर्भ संख्या औ. न्या./के. 5/03) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29011/64/2002-आईआर(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New-Delhi, the 30th March, 2007

S. O. 1205.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/5/03) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No. L-29011/64/2002-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राज.

पीठसीन अधिकारी-के.के. गुप्ता, आर.एच.जे.एस.

रेफरेन्स प्रकरण क्रमांक : औ. न्या./केन्द्रीय-5/03

दिनांक स्थापित : 13/2/03

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29011/64/2002/आईआर (एम) दि. 4-2-03

रेफरेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

जनरल सेक्रेटरी, राष्ट्रीय मजदूर संघ,
रामगंज मण्डी, जिला कोटा

--प्रार्थी यूनियन

एवं

मै. श्री जम्बूकुमार जैन (माईन ओनर), श्री स्टोन कंपनी, चेचट, कोटा

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री
प्रतिनिधि :-

अप्रार्थी नियोजक की ओर से श्री डी.सी. जैन एवं
प्रतिनिधि :- श्री जम्बूकुमार जैन (प्रबन्धक)

अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा अपनी उक्त प्रासंगिक अधिसूचना आदेश दिनांक 4-2-03 के जरिये निम्न रेफरेन्स, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से सम्बोधित किया जावेगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

"क्या प्रबन्धन श्री जम्बूकुमार जैन, खदान मालिक, मैसर्स श्री स्टोन कंपनी, चेचट जिला कोटा/राज. द्वारा उसकी खदान में कार्यरत कर्मचारों के लिए समझौता वार्ता द्वारा दैनिक मजदूरी में बढ़ोतरी न करने की कार्यवाही उचित एवं न्यायसंगत है। यदि नहीं तो संबंधित किस अनुतोष के हकदार हैं?"

2. रेफरेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी। प्रार्थी श्रमिक यूनियन अप्रार्थी नियोजक की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये गये।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 9-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफरेन्स प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसके तहत शर्त सं. 2 में वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धक, संस्थान में कार्यरत ब्लो-ग्राउण्ड में कार्य करने वाले समस्त कुली/बेलदारों को प्रतिदिन 64. रु. व भारत सरकार द्वारा घोषित विशेष भत्ता 2/94 जोड़कर कुल 66 रु. 94 पै. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा, शर्त सं. 3 वर्णितानुसार खदानों में कार्यरत कारीगर (स्टोन

कटर) को 77 रु. प्रति सी क्वार्टर फ्लोर क्वार्टर के व निर्धारित विशेष भत्ता 3/57 के बिलो ग्राउण्ड का प्रतिदिन के हिसाब से भुगतान करेगा, रत सं. 4 से वर्धितानुसार 1500 रु. तक वेतन मिलने वाले कर्मचारियों के वेतन में 50 रु. व उससे अधिक वेतन मिलने वाले कर्मचारियों के वेतन में 75 रु. वार्षिक वेतन वृद्धि करेगा व विशेष भत्ता बिलो ग्राउण्ड का भी दिया जावेगा, रत सं. 5 के तहत युनिफॉर्म द्वारा मधुर औद्योगिक सम्बन्ध बनाये रखने के लिए अन्य मांगों वापस ले ली गई। रत सं. 6 में वर्धितानुसार यह भी तय हुआ कि यह समझौता 1-4-02 से प्रभावी होगा तथा उसका एरियर बनाकर दो माह में भुगतान कर दिया जावेगा। रत सं. 7 में यह भी तय हुआ कि तत्काल समझौते से दोनों पक्ष पबन्द व बाध्य रहेंगे तथा क्रमिक निरन्तर उत्पादन में वृद्धि करते रहेंगे। अतः समझौते के आन्तर पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिपरूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

कर.आ. 1206.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संकट निबोधकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय, कोटा के पंचाट (संदर्भ संख्या औ. न्या./के./19/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29011/13/99-आईआर(एम)]

एन. एस. बोर, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1206.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/19/99) of the Central Government Industrial Tribunal/Labour Court, Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No. L-29011/13/99-IR (M)]

N.S. BORA, Desk Officer

अनुपस्थित

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय कोटा/प्रधान

पीठासीन अधिकारी - के. के. गुप्ता, आई.एस.एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./कोटा-19/99

दिनांक स्थापित : 26-7-99

प्रसंग : भारत सरकार, ग्राम मंत्रालय, नई दिल्ली के आदेश संख्या

एल-29011/13/99/आईआर (एम) दि. 15-7-99

रेफ्रेन्स क्रमांक धारा 10(1) (ग)

औद्योगिक विवाद अधिनियम, 1947

मध्य

अनुपस्थित, राष्ट्रीय पबन्द संघ,

ग्राममन्थणी, जिला कोटा

—प्राची युनियन

एवं

श्री अतिकुरहमान पुत्र श्री अब्दुल गफ्फर, लाईम स्टोन माईन जेनर, सुहेल जिला कोटा

—अप्राची निबोधक

उपस्थित

प्राची युनियन की ओर से
प्रतिनिधि :-

श्री राममोहन गुप्ता, भर्त्ता व
श्री किरण अर्जुन, एड.

अप्राची निबोधक की ओर से
प्रतिनिधि :-

श्री अतिकुरहमान, प्रबंध एंव
श्री दीपक तलवार, एड.

अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, ग्राम मंत्रालय, नई दिल्ली के उक्त प्रायोगिक आदेश दिनांक 15-7-99 के अन्तर्गत निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(ग) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

"Whether the demand of Rakhtriya Mazdoor Sangh, Ramganjwadi, for payment of 20% bonus for the financial year 1997-98 by the management of Atish Rehman, Limestone Mine Owner, is legal and justified? If so, to what relief the workman is entitled?"

2. रेफ्रेन्स न्यायाधिकरण से प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत् रूप में जारी की गयी। जिस पर दोनों पक्षों की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये जाने के बाद प्रार्थी यूनियन की ओर से साक्ष्य में शपथ-पत्र प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसकी शर्त सं. 1 लगायत 5 में वर्णितानुसार स्वरूप में यह तय हुआ कि अप्रार्थी प्रबन्धन द्वारा संस्थान में कार्यरत श्रमिकों व कर्मचारियों को लेखा वर्ष 1997-98 (1 अप्रैल, 1997 से 31 मार्च, 98 तक) के लिए 11% की दर से बोनस का भुगतान, बोनस भुगतान अधिनियम, 1965 के नियमानुसार, यूनियन प्रतिनिधियों के समक्ष दिनांक 15-4-07 तक कर दिया जावेगा। यह भी तय हुआ कि अब लम्बित विवाद में कोई अन्य बिन्दु शेष नहीं रहा है। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत् रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है।

के.के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1207.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माइन के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोटा के पंचाट (संदर्भ संख्या औ. न्या./के./5/05) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29012/35/2004-आई आर(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1207.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/5/05) of the Central Government Industrial Tribunal/Labour Court, Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No.L-29012/35/2004-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान

पीठासीन अधिकारी—के.के. गुप्ता, आर.एच.जे.एस.

रेफ्रेन्स प्रकरण क्रमांक : औ. न्या./केन्द्रीय-5/05

दिनांक स्थापित : 1-10-05

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29012/35/2004-आईआर (एम) दि. 1-6-04

रेफ्रेन्स अन्तर्गत धारा 10(1)(घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

हेमराज सेन पुत्र श्री कल्याण निवासी निबोदा हरीजी तहसील दीगोद जिला कोटा

—प्रार्थी श्रमिक

एवं

जनरल मैनेजर, श्रीराम सीमेन्ट वर्क्स डीएससीएल/कोटा

—अप्रार्थी नियोजक

उपस्थित

प्रार्थी श्रमिक की ओर से श्री डी. आर. द्विवेदी,
प्रतिनिधि :-
अप्रार्थी नियोजक की ओर वी.के. जैन एवं श्री अनिल निगम
से प्रतिनिधित्व : (प्रबन्धक प्रतिनिधि)
अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रशासनिक आदेश दिनांक 1-6-04 के जरिये निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

“Whether the General Manager, M/s Shriram Cement Works, DSCL, Kota in terminating the services of Shri Hemraj Sen S/o Kalyan Ji Sen w.e.f. 11-7-2002 is legal and justified? If not, to what relief the workman concerned is entitled and from which date?”

2. रेफ्रेन्स, न्यायाधिकरण से प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत् रूप से जारी की गयी जिस पर दोनों पक्षों की ओर से अपनी-अपनी उपस्थिति दी गयी।

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के ^{मिनिस्टर} ठीका प्रशासनिक
आवेदन/अधिसूचना दिनांक 17-5-04 को जरिये निम्न रेफरेंस औद्योगिक

विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से सम्बोधित किया जावेगा) की धारा 10(1) (घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :--

"क्या प्रबन्धन मैसर्स मोदी फ्लोरिंग स्टोन कंपनी लाईम स्टोन खदान चेचट जिला कोटा, राजस्थान द्वारा उनकी खान में कार्यरत कर्मकारों के लिए समझौता वार्ता द्वारा दैनिक मजदूरी में बढ़ोतरी नहीं करने की कार्यवाही उचित एवं - यायसंगत है ? यदि नहीं तो संबंधित कर्मकार किस अनुतोष है/हकदार हैं?"

2. रेफ्रेन्स, न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी। प्रार्थी श्रमिक यूनियन की ओर से अपना क्लेम स्टेटमेंट प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 13-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स प्रकरण में लोक अदालत की भावना से समझौता हो गया है जिसके तहत शर्त सं. 2 में वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धक, संस्थान में कार्यरत बिलो-ग्राउण्ड में कार्य करने वाले समस्त कुली/बेलदारों को प्रतिदिन 63.50 पै. व भारत सरकार द्वारा घोषित विशेष भत्ता 2.66 पै. को जोड़कर कुल 66.16 पै. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा, शर्त सं. 3 में वर्णितानुसार खदानों में कार्यरत कारीगर (स्टोन कटर) को 76.50 पै. प्रतिदिन पत्थर कटाई के तथा निर्धारित विशेष भत्ता बिलो ग्राउण्ड का 3.23 पै. प्रतिदिन के हिसाब से भुगतान करेगा, शर्त सं. 4 में वर्णितानुसार 1500 रु. तक वेतन मिलने वाले कर्मचारियों के वेतन में 50 रु. व उससे अधिक वेतन मिलने वाले कर्मचारियों के वेतन में 75 रु. वार्षिक वेतन वृद्धि करेगा व शेष भत्ता बिलो ग्राउण्ड का भी दिया जावेगा, शर्त सं. 5 के तहत यूनियन द्वारा मधुर औद्योगिक सम्बन्ध बनाये रखने के लिए अन्य मांगें वापस ले ली गई। शर्त सं. 6 में वर्णितानुसार यह भी तय हुआ कि यह समझौता 1-9-03 से प्रभावशील होगा तथा उसका एरियर बनाकर दो माह में भुगतान कर दिया जावेगा। शर्त सं. 7 में यह भी तय हुआ कि उक्त समझौते से दोनों पक्ष पाबन्द व बाध्य रहेंगे तथा श्रमिक निरन्तर उत्पादन में वृद्धि करते रहेंगे। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1209.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोटा के पंचाट (संदर्भ संख्या औ. न्या./के. 24/03) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29011/9/2003-आई आर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S.O. 1209.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. IT/C/24/03) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workmen, which was received by the Central Government on 30-3-07.

[No. L-29011/9/2003-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राज.

पीठासीन अधिकारी-के. के. गुप्ता, आर.एच.जे.एस.

रेफ्रेन्स प्रकरण क्रमांक : औ. न्या./केन्द्रीय-24/03

वाजदायर दिनांक : 13-2-07

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29011/9/2003/आईआर (एम) दि. 4-6-03

रेफ्रेन्स अन्तर्गत धारा 10(1) (घ) औद्योगिक विवाद अधिनियम, 1947

मध्य

जनरल सेक्रेटरी, राष्ट्रीय मजदूर संघ,
रामगंज मण्डी, जिला कोटा, राज.

--प्रार्थी यूनियन

एवं

मै. मोदी फ्लोरिंग स्टोन कंपनी, चेचट, कोटा/राज.

--अप्रार्थी नियोजक

उपस्थित

प्राची युनियन की ओर से : श्री रामगोपाल गुप्ता, मंत्री
प्रतिनिधि

अप्राची नियोक्ता की ओर से : श्री डी.सी. जैन एवं श्री गोविन्दराम
प्रतिनिधि मोदी प्रबंधक

अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रसंगिक आदेश दिनांक 4-6-03 के अन्तर्गत निम्न रेफरेन्स, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरांत "अधिनियम" से सम्बोधित किया जाएगा) की धारा 10(1) (ब) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :--

"क्या राष्ट्रीय मजदूर संघ (इन्टक) रामगजमण्डी द्वारा प्रबन्धन मैसर्स मोदी फ़ैक्टोरिंग स्टोन कंपनी, संबंद्ध जिला कोटा राजस्थान से उनकी खदान में कार्यरत कर्मकारों के लिए वित्तीय वर्ष 2001-2002 के लिए 20 प्रतिशत बोनस भुगतान की मांग उचित एवं न्यायसंगत है ? यदि हाँ तो संबंधित कर्मकार कितने प्रतिशत बोनस भुगतान के हकदार हैं ?"

2. रेफरेन्स, न्यायधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिकरूप में जारी की गयी।

3. सर्वप्रथम यहाँ यह उल्लेख किया जाना उपयुक्त है कि प्राची युनियन प्रतिनिधि ने दि. 13-2-07 को प्रार्थना-पत्र प्रस्तुत कर यह कथन किया कि पूर्व में एक समझौता इस प्रकरण में प्रस्तुत किया गया था जो वित्तीय वर्ष 1999-2000 के बोनस की मांग से सम्बन्धित था तथा यह समझौता प्राची युनियन एवं एक अन्य प्रबन्धक श्री रामभन्ना मोदी के मध्य सम्पन्न हुआ था जोकि इस प्रकरण की मांग से संबंधित नहीं था तथा जो क्लेम पेश हुआ है-को भी इस रेफरेन्स से सम्बन्धित नहीं है। वास्तव में इस प्रकरण में उपलब्ध रेफरेन्स वित्तीय वर्ष 2001-2002 के बोनस की मांग से सम्बन्धित है तथा अप्राची नियोक्ता श्री श्री गोविन्दराम मोदी है। अतः सहवन से पूर्व प्रस्तुत समझौते के आधार पर दि. 29-9-06 को जो अधिनिर्णय पारित हो चुका है तथा जिसका प्रकाशन भी नहीं हुआ है, उसे निरस्त कर पुनः नम्बर पर लिया जाये। अप्राची प्रतिनिधि को आपत्ति नहीं होने पर अद्यतित दिनांक 13-2-07 के अनुसार प्रार्थना-पत्र प्राची स्वीकार कर पारित अधिनियम दि. 29-9-06 को निरस्त कर प्रकरण पुनः नम्बर पर लेकर दायी रिजस्टर किया गया।

4. दिनांक 13-2-07 को ही प्राची अधिक युनियन प्रतिनिधि श्री रामगोपाल गुप्ता एवं अप्राची नियोक्ता प्रबन्धक श्री गोविन्दराम मोदी ने संयुक्त रूप से समझौता-पत्र प्रस्तुत कर यह निवेदन किया कि उनके मध्य उक्त लम्बित रेफरेन्स प्रकरण में लोक अदालत की भावना

से समझौता सम्पन्न हो गया है जिसकी शर्तें पत्र लगभग 5 में वर्णितानुसार स्तर रूप में यह तय हुआ है कि अप्राची प्रबन्धन द्वारा संस्थान में कार्यरत कर्मकारों के कर्मचारी को लेकर वर्ष 2001-2002 (1 अप्रैल, 2001 से 31 मार्च, 2002 तक के लिए 9.50% की दर से बोनस का भुगतान, बोनस भुगतान अधिनियम, 1965 के नियमानुसार, युनियन प्रतिनिधियों के समक्ष दि. 30-4-07 तक कर दिया जावेगा। यह भी तय हुआ है कि अब लम्बित विवाद में कोई अन्य बिन्दु रोप नहीं रहा है। अतः प्रस्तुत समझौते दिनांक 13-2-07 के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जाये।

चूँकि पक्षकारों के मध्य लम्बित रेफरेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिकरूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार की कोई विवाद शेष नहीं रहा है, अतः सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुत समझौते के आधार पर सम्प्रेषित रेफरेन्स/विवाद को इसी प्रकार अधिनिर्णय कर उत्तरित किया जाता है।

को. को. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

क्र.अ. 1210.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सॉयम स्टोन माईन के प्रबंधन के संबंध में निम्नलिखित और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोटा के पंचाट (संदर्भ संख्या औ. न्या./के./17/01) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29012/126/2001-आई.कल.एल.]

एन. एस. बोरा, डेप्युटी अधिकारी

New Delhi, the 30th March, 2007

S.O. 1210.-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/17/01) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Award, in the Industrial Dispute between the Employers in relation to the management of Lime Stone mine and their workmen, which was received by the Central Government on 30-3-07.

[No. L-29012/126/2001-IR (M)]

N.S. BORA, Desk Officer

अनुसूचक

न्यायाधीश, औद्योगिक न्यायधिकरण, केन्द्रीय/कोटा/राज.

पीठासीन अधिकारी के को. गुप्ता, और एच.के.एस.

रेफरेन्स प्रकरण क्रमांक : ओ. न्या./केन्द्रीय-17/01

दिनांक स्थापित : 20-7-01

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या
एल-29012/126/2001/आईआर (एम) दि. 2-6-01

रेफरेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

सचिव, राष्ट्रीय मजदूर संघ, रामगंजमण्डी जिला कोटा ।

--प्रार्थी यूनियन

एवं

श्री जम्बूकुमार जैन, मालिक श्री स्टोन कंपनी, रामगंजमण्डी, कोटा

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री
प्रतिनिधि :-

अप्रार्थी नियोजक की ओर से श्री डी.सां. जैन एवं श्री जम्बूकुमार
प्रतिनिधि :- जैन प्रबंधक

अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश/अधिसूचना
दि. 2-6-01 के जरिये निम्न रेफरेन्स, औद्योगिक विवाद अधिनियम,
1947 (जिसे तदुपरान्त "अधिनियम" से सम्बोधित किया जावेगा) की
धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ
सम्प्रेषित किया गया है :-

"क्या प्रबंधक, श्री जम्बूकुमार जैन, मालिक मैसर्स श्री स्टोन
कंपनी, रामगंजमण्डी जिला कोटा/राज. द्वारा उनकी खान में
कार्यरत कर्मचारियों के लिए समझौता वार्ता द्वारा दैनिक मजदूरी
में बढ़ोतरी न करने की कार्यवाही तथा जिन श्रमिकों ने 240
दिन कार्य करते हुए अवधि पूर्ण कर ली है, उन्हें स्थायी घोषित
न करने की कार्यवाही उचित एवं न्यायसंगत है। यदि नहीं तो
कर्मकार किस अनुतोष के हकदार है?"

2. रेफरेन्स, न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त
पक्षकारों को सूचना विधिवत रूप में जारी की गयी। प्रार्थी
श्रमिक-यूनियन की ओर से अपना क्लेम प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र
के साथ समझौता-पत्र दिनांकित 9-2-07 प्रस्तुत कर यह निवेदन
किया गया कि पक्षकारों के मध्य लम्बित रेफरेन्स प्रकरण में लोक
अदालत की भावना से समझौता हो गया है जिसके तहत शर्त सं. 2 में
वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबंधक, संस्थान में
कार्यरत बिलो-ग्राउण्ड में कार्य करने वाले समस्त कुली/बेलदारों को
प्रतिदिन 35 रु. व भारत सरकार द्वारा घोषित विशेष भत्ता 23.19 को
जोड़कर कुल 58.19 पै. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा,
शर्त सं. 3 में वर्णितानुसार खदानों में कार्यरत कारीगर (स्टोन कटर)
को 42 रु. प्रति सौ वर्गफीट पत्थर कटाई के व निर्धारित विशेष भत्ता
27.43 बिलो ग्राउण्ड का प्रतिदिन के हिसाब से भुगतान करेगा, शर्त
सं. 4 में वर्णितानुसार 1500 रु. तक वेतन मिलने वाले कर्मचारियों के
वेतन में 50 रु. व उससे अधिक वेतन मिलने वाले कर्मचारियों के
वेतन में 75 रु. वार्षिक वेतन वृद्धि करेगा व विशेष भत्ता बिलो ग्राउण्ड
का भी दिया जावेगा, शर्त सं. 5 के तहत यूनियन द्वारा मधुर सम्बन्ध
बनाये रखने के लिए अन्य मांगें वापस ले ली
गई। शर्त सं. 6 में वर्णितानुसार यह भी तय हुआ कि यह समझौता
1-4-2000 से प्रभावशील होगा तथा उसका एरियर बनाकर दो माह में
भुगतान कर दिया जावेगा। शर्त सं. 7 में यह भी तय हुआ कि उक्त
समझौते से दोनों पक्ष पाबन्द व बाध्य रहेंगे तथा श्रमिक निरन्तर
उत्पादन में वृद्धि करते रहेंगे। अतः समझौते के आधार पर अधिनिर्णय
अन्तिम रूप से पारित कर दिया जावे।

चूँकि पक्षकारों के मध्य लम्बित रेफरेन्स/विवाद में लोक अदालत
की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत
रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के
मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी
विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर
सम्प्रेषित रेफरेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया
जाता है।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1211.-औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन
माईन के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच,
अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक
अधिकरण/श्रम न्यायालय कोटा के पंचाट (संदर्भ संख्या औ. न्या./के.
16/03) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07
को प्राप्त हुआ था।

[सं. एल-29012/3/2003-आईआर.(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S.O. 1211.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. TT/C/16/03) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workmen, which was received by the Central Government on 30-3-07.

(No. L-29012/3/2003-IR (M))

N.S.BORA, Desk Officer

आवृत्ति

न्यायाधीश, औद्योगिक (औद्योगिक/कोटा/राज.)

पीछीसीन अधिकारी-के.के. गुप्ता, आई.एच.जे.एस.

रेफरेंस प्रकरण क्रमांक : ओ. न्या./कोटा-16/03

दिनांक स्थापित : 19/5/03

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या

एल-29012/3/2003/आईआर (एम) दि. 7-5-03

रेफरेंस अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मसला

बनारस कोलेटरी, राष्ट्रीय भवन संघ,

एन.एस.बी. जिला कोटा।

—प्राथी यूनियन

एवं

मैसर्स अरावली स्टोन कंपनी, लाईम स्टोन खदान मालिक, चेचट जिला कोटा।

—अप्राथी नियोजक

उपस्थित

प्राथी यूनियन की ओर से श्री समर्गोपाल गुप्ता, मंत्री

प्रतिनिधि :-

अप्राथी नियोजक की ओर से श्री डी. सी. जैन एवं

प्रतिनिधि :-

श्री विपिन जैन (प्रबंधक)

अधिनियम दिनांक : 17-2-07

अधिनियम

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा अपनी उक्त प्रासंगिक अधिसूचना/आदेश दिनांक 7-5-03 के अंतर्गत निम्न रेफरेंस औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपान्वय "अधिनियम" से संदर्भित किया जाएगा) की धारा 10(1) (घ) के अन्तर्गत इस न्यायाधिकरण को अधिनियम के अधिनियमित किया गया है :-

"यहां प्रबंधन मैसर्स अरावली स्टोन कंपनी, लाईम स्टोन खदान मालिक, चेचट, एन.एस.बी. जिला कोटा प्रबंधन द्वारा राष्ट्रीय स्तर में कार्यरत प्रबंधकों के लिए समझौता वार्ता द्वारा वैधानिक प्रक्रिया के बहिष्कार नहीं करने की कार्यवाही उचित

एवं न्यायसंगत है 24 अप्रैल 2007 को औद्योगिक विवाद अधिनियम के अन्तर्गत है?"

2. रेफरेंस, न्यायाधिकरण में प्राप्त होने पर न्यायाधीश उक्त प्रकरण को सुनना विधिवत रूप में जारी की गयी जिस के साथ पक्षों की ओर से अपने-अपने अध्यापक प्रस्तुत किये गये।

3. दौरान विचारण पक्षकारों द्वारा संचित रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांक 9-2-07 प्रस्तुत कर निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफरेंस प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसके तहत सं. 2 में वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबंधक, संस्थान में कार्यरत बिले-ग्राउण्ड में कार्य करने वाली सिमस कुली/केलदारी को प्रतिदिन 64 रु. व बिले-ग्राउण्ड में कार्य करने वाली सिमस कुली/केलदारी जोड़कर कुल 68 रु. 94 पैसे प्रतिदिन के हिसाब से भुगतान करेगा, तहत सं. 3 में वर्णितानुसार प्रबंधन में कार्यरत कुली/केलदारी (स्टोन कटर) को 77 रु. प्रति सौ क्वार्टर प्रत्येक क्वार्टर के हिसाब से भुगतान करता 3.57 पै. बिस्को ग्राउण्ड का प्रतिदिन के हिसाब से भुगतान करेगा, तहत सं. 4 में वर्णितानुसार 1500 रु. तक वेतन मिलने वाले कर्मचारियों के वेतन में 50 रु. व उससे अधिक वेतन मिलने वाले कर्मचारियों के वेतन में 75 रु. वार्षिक वेतन वृद्धि करेगा व विशेष भत्ता बिस्को ग्राउण्ड का भी दिया जायेगा, तहत सं. 5 में तहत यूनियन द्वारा भुक्त औद्योगिक सम्बन्ध बनाये रखने के लिए अन्य मांगें प्रस्तुत ले ली गई। तहत सं. 6 में वर्णितानुसार यह भी तय हुआ कि यह समझौता 1-अप्रैल-02 से प्रभावशील होगा तथा उसका बहिष्कार न्यायाधिकरण में भुगतान कर दिया जायेगा तहत सं. 7 में यह भी तय हुआ कि उक्त समझौते से दोनों पक्ष प्रबन्ध व बाध्य रहेंगे तथा अधिक निरन्तर उत्पन्न में वृद्धि करते रहेंगे। अतः समझौते के आधार पर अधिनियम के अधिनियमित कर दिया जाये।

चूंकि पक्षकारों के मध्य लम्बित रेफरेंस/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकरण में आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौता उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अतः समझौता समाप्त हो गया है, अतः प्रस्तुत मुद्दा समझौते के आधार पर समप्रेषित रेफरेंस/विवाद की इसी प्रकार अधिनियमित कर देखा जाये जाता है।

के.के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.अ. 1212-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार लाईम स्टोन माइन के प्रबंधकों की संघर्ष विधानिका और उनके कर्मचारियों के बीच अनुबंध में विवाद औद्योगिक विवाद अधिनियम के अधिनियमित अधिकरण/श्रम न्यायालय कोटा के बिले (सं. 16/03/07 का 4/01) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29012/3/2003-आईआर (एम)]

एम. एस. बोर, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1212.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/4/01) of the Central Government Industrial Tribunal/Labour Court, Kota now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workmen, which was received by the Central Government on 30-3-07.

[No. L-29012/7/2001-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राज./

पीठासीन अधिकारी- के.के. गुप्ता, आर.एच.जे.एस.

रेफ्रेन्स प्रकरण क्रमांक : औ. न्या./केन्द्रीय-4/01

दिनांक स्थापित : 16-4-01

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29012/7/2001/आईआर (एम) दि. 27-3-01

रेफ्रेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

सचिव, राष्ट्रीय मजदूर (घ) (इंटक),

रामगंजमण्डी, कोटा ।

--प्रार्थी यूनियन

एवं

अब्दुल करीम भाई, लाईम स्टोन खदान मालिक, मोड़क स्टेशन, जिला कोटा ।

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री
प्रतिनिधि :- एवं श्री सतीश पचौरी, एड

अप्रार्थी नियोजक की ओर से श्री महफूज अली, प्रबन्धक
प्रतिनिधि :-

अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रशासनिक आदेश/अधिसूचना दि. 27-3-01 के जरिये निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से सम्बोधित किया जावेगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

"क्या राष्ट्रीय मजदूर संघ (इंटक) रामगंजमण्डी द्वारा प्रबन्धक श्री अब्दुल करीम भाई, लाईम स्टोन खदान मालिक, मोड़क से उसको खान में कार्यरत कर्मकारों के लिए वित्तीय वर्ष 1999-2000 के लिए 20 प्रतिशत बोनस भुगतान करने की

मांग उचित एवं न्यायसंगत है ? यदि हाँ तो संबंधित कितने प्रतिशत बोनस भुगतान के हकदार हैं ?"

2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी । प्रार्थी श्रमिक यूनियन की ओर से अपना क्लेम स्टेटमेंट प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 14-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसकी शर्त सं. 1 लगायत 5 में वर्णितानुसार सार रूप में यह तय हुआ कि अप्रार्थी प्रबन्धन द्वारा संस्थान में कार्यरत श्रमिकों व कर्मचारियों को लेखा वर्ष 1999-2000 (1 अप्रैल, 99 से 31 मार्च, 2000 तक) के लिए 11% की दर से बोनस का भुगतान, बोनस भुगतान अधिनियम, 1965 के नियमानुसार, यूनियन प्रतिनिधियों के समक्ष दिनांक 15-4-2007 तक कर दिया जावेगा। यह भी तय हुआ कि अब लम्बित विवाद में कोई अन्य बिन्दु शेष नहीं रहा है। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे ।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है ।

के.के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1213.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोटा के पंचाट (संदर्भ संख्या औ. न्या./के. 6/01) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था ।

[सं. एल-29012/125/2000-आई.आर. (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1213.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/6/01) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workmen, which was received by the Central Government on 30-3-07.

[No. L-29012/125/2000-IR (M)]

N. S. BORA, Desk Officer

अनुच्छेद

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान/

पीठासीन अधिकारी-के. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : औ. न्या./केन्द्रीय-6/01

दिनांक स्थापित : 18-4-01

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29012/125/2000/आईआर (एम) दि. 27-3-01

रेफ्रेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

जनरल सेक्रेटरी, राष्ट्रीय मजदूर संघ,
रामगंजमण्डी जिला कोटा ।

--प्रार्थी यूनियन

एवं

अब्दुल करीम भाई, लाईम स्टोन खदान मालिक, मोड़क स्टेशन
जिला कोटा ।

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री एवं
प्रतिनिधि :- श्री स्तीश पचौरी एडअप्रार्थी नियोजक की ओर से श्री महफूज अली, प्रबन्धक
प्रतिनिधि :-

अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रशासनिक
आदेश/अधिसूचना दिनांक 27-3-01 के जरिये निम्न रेफ्रेन्स, औद्योगिक
विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से सम्बोधित
किया जावेगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण
को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-"क्या प्रबन्धक श्री अब्दुल करीम भाई, लाईम स्टोन खदान
मालिक मोड़क जिला कोटा (राज.) द्वारा उनकी खान में
कार्यरत कर्मचारियों के लिए समझौता वार्ता द्वारा दैनिक मजदूरी
में बढ़ोतरी न करने की कार्यवाही तथा जिन श्रमिकों ने 240
दिन कार्य करते हुए अवधि पूर्ण करली है, उन्हें स्थायी न
घोषित करने की कार्यवाही उचित एवं न्यायसंगत है? यदि नहीं
तो कर्मकार किस अनुतोष के हकदार हैं?"2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होते पर पंजीबद्ध उपरान्त
पक्षकारों को सूचना विधिवत रूप में जारी की गयी । प्रार्थी श्रमिक
यूनियन की ओर से अपना बलेम स्टेटेमेंट प्रस्तुत किया गया।3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र
के साथ समझौता-पत्र दिनांकित 14-2-07 प्रस्तुत कर वह निवेदन
किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स में लोक अदालत की
भावना से समझौता सम्पन्न हो गया है जिसके तहत शर्त सं. 2 में
वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धन संस्थान में
कार्यरत बिल्लो-ग्राउण्ड में कार्य करने वाले समस्त कुली/बेलदारों की
प्रतिदिन 35 रु. व भारत सरकार द्वारा घोषित विशेष भत्ता 23.19 पै.
जोड़कर कुल 58.19 पै. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा,
शर्त सं. 3 में वर्णितानुसार खदानों में कार्यरत क्राइगर (स्टोन कटर)
को 42 रु. प्रति सौ वर्गफीट पत्थर कटाई के तथा निर्धारित विशेष भत्ता
27.43 पै. बिल्लो ग्राउण्ड का प्रतिदिन के हिसाब से भुगतान करेगा, शर्त
सं. 4 में वर्णितानुसार 1500 रु. वेतन मिलने वाले कर्मचारियों के वेतन
में 50 रु. व उससे अधिक वेतन मिलने वाले कर्मचारियों के वेतन में
75 रु. वार्षिक वेतन वृद्धि करेगा व विशेष भत्ता बिल्लो ग्राउण्ड का भी
दिया जावेगा, शर्त सं. 5 के तहत यूनियन द्वारा मधुर औद्योगिक
सम्बन्ध बनये रखने के लिए अन्य मांगें वापस ले ली गई । शर्त सं. 6
में वर्णितानुसार यह भी तय हुआ कि यह समझौता 1-10-99 से
प्रभावशील होगा तथा उसका एरियर बनाकर दो माह में भुगतान कर
दिया जावेगा। शर्त सं. 7 में यह भी तय हुआ कि उक्त समझौते से दोनों
पक्ष पाबन्द व बाध्य रहेंगे तथा श्रमिक निरन्तर उत्पन्न होने में वृद्धि करते
रहेंगे। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित
कर दिया जावे।चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत
की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत
रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के
मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी
विवाद समाप्त हो गये हैं, अतः प्रस्तुतरूपा समझौते के आधार पर
सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया
जाता है ।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1214.-औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन
माईन के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच,
अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक
अधिकरण/श्रम न्यायालय कोटा के पंचाट (संदर्भ संख्या औ. न्या./के.
10/03) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07
को प्राप्त हुआ था ।

[सं. एल-29011/54/2002-आईआर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1214.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/10/03) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No.L-29011/54/2002-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान/

पीठासीन अधिकारी-क. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./केन्द्रीय-10/03

दिनांक स्थापित : 7-3-03

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या

एल-29011/54/2002/आईआर (एम) दि. 10-2-03

रेफ्रेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

जनरल सेक्रेटरी, राष्ट्रीय मजदूर संघ,

रामगंजमण्डी जिला कोटा ।

--प्राथी यूनियन

एवं

अब्दुल करीम पुत्र श्री पीर खान, लाईम स्टोन माईन ओनर,

मोड़क स्टेशन, कोटा ।

--अप्राथी नियोजक

उपस्थित

प्राथी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री एवं

प्रतिनिधि :-

श्री सतीश पचौरी एंड

अप्राथी नियोजक की ओर से श्री महफूज अली, प्रबन्धक

प्रतिनिधि :-

अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रशासनिक आदेश/अधिसूचना दिनांक 10-2-03 के जरिये निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से सम्बोधित किया जावेगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

"क्या राष्ट्रीय मजदूर इन्टक रामगंजमण्डी द्वारा प्रबन्धक श्री अब्दुल करीम भाई, लाईम स्टोन खदान मालिक, कूकडा मोड़के से उसकी खान में कार्यरत कर्मकारों के लिए वित्तीय वर्ष 2000-2001 के लिए 20% बोनस भुगतान करने की मांग

उचित एवं न्यायसंगत है? यदि हां तो संबंधित कर्मकार कितने प्रतिशत बोनस भुगतान के हकदार हैं ?

2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी । प्राथी श्रमिक यूनियन की ओर से अपना क्लैम स्टेटमेंट प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 14-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसकी शर्त सं. 1 लगायत 5 में वर्णितानुसार सार रूप में यह तथ्य हुआ कि अप्राथी प्रबन्धन द्वारा संस्थान में कार्यरत श्रमिकों व कर्मचारियों को लेखा वर्ष (2000-2001) 1 अप्रैल, 2000 से 31 मार्च, 2001 तक के लिए 11% की दर से बोनस भुगतान, बोनस भुगतान अधिनियम, 1965 के नियमानुसार, यूनियन प्रतिनिधियों के समक्ष दिनांक 15-4-2007 तक कर दिया जावेगा। यह भी तथ्य हुआ कि अब लम्बित विवाद में कोई अन्य बिन्दु शेष नहीं रहा है। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है ।

क. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1215.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबंध निर्योजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोटा के पंचाट (संदर्भ संख्या औ. न्या./के. 11/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-2007 को प्राप्त हुआ था ।

[सं. एल-29011/29/2000-आईआर.(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1215.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/11/2000) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-2007.

[No.L-29011/29/2000-IR (M)]

N. S. BORA, Desk Officer

अनुबंध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान/

पीठासीन अधिकारी-के. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./केन्द्रीय-11/2000

दिनांक स्थापित : 31-7-2000

प्रसंग : भारत सरकार, ग्राम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29011/29/2000/आईआर (एम) दि. 6-7-2000

रेफ्रेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

महत्व

जबलाल सेक्रेटरी, राष्ट्रीय मजदूर संघ,
रामनगरवाडी जिला कोटा।

—प्रार्थी यूनियन

एवं

श्री अतिकुलमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन ओनर,
सुकेत, जिला कोटा।

--अप्राधी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री एवं
प्रतिनिधि :- श्री पियोज आबदी, एंडअप्राधी नियोजक की ओर से श्री अतिकुलमान, प्रबन्धक एवं
प्रतिनिधि :- श्री दीपक कलवार, एंड

अभिनिर्णय दिनांक : 17-2-07

अधिनिर्णय :

भारत सरकार, ग्राम मंत्रालय, नई दिल्ली के उक्त प्रासांगिक
आदेश दिनांक 6-7-2000 के जरिये निम्न रेफ्रेन्स, औद्योगिक विवाद
अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण
को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-"क्या प्रबन्धक श्री अतिकुलमान पुत्र श्री अब्दुल गफूर, लाईम
स्टोन खदान पीपाखेडों मुकाम सुकेत द्वारा उनकी खान है।
कार्यरत कर्मचारों के लिए समझौता वार्ता द्वारा दैनिक मजदूरी
में बढ़ोतरी न करने का कार्यवाही तथा जिन श्रमिकों ने 240
दिन कार्य करते हुए अवधि पूर्ण कर ली है इन्हे स्थाई घोषित
न करने की कार्यवाही उचित एवं न्यायसंगत है? यदि नहीं तो
कर्मचारों किस आशुतोष को हकदार हैं?"2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त
पक्षकारों को सूचना विधिबद्ध रूप में जारी की गयी जिस पर दोनों
पक्षों की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये गये।3. दोनों विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र
के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर निवेदन किया
गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स में लोक अदालतकी भावना से समझौता सम्पन्न हो गया है जिसकी तहत शर्त सं. 2 में
वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धक, संस्थान के
कार्यरत बिलो-ग्राउण्ड में कार्य करने वाले समस्त कर्मचारियों को
प्रतिदिन 37 रु. व भारत सरकार द्वारा घोषित विशेष भत्ता 22.26 पै.
जोड़कर कुल 59.26 पै. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा,
शर्त सं. 3 में वर्णितानुसार छद्मनों में कार्यरत कारीगर स्टोन कटर को
45 रु. प्रति सौ वर्गफीट पत्थर कटाई के ब्याज निर्धारित विशेष भत्ता
26.33 पै. बिलो ग्राउंड का प्रतिदिन के हिसाब से भुगतान करेगा, शर्त
सं. 4 में वर्णितानुसार 1500 रु. वेतन मिलने वाले कर्मचारियों को वेतन
के 75 रु. व उससे अधिक वेतन मिलने वाले कर्मचारियों को वेतन में
100 रु. वार्षिक वेतन वृद्धि करेगा व विशेष भत्ता बिलो ग्राउण्ड का
भी दिया जावेगा, शर्त सं. 5 के तहत यूनियन द्वारा मधुर औद्योगिक
सम्बन्ध बनाने रखने के लिए अन्य योग्य कार्रवाई ली गई। शर्त सं. 6
में वर्णितानुसार यह भी तय हुआ कि यह समझौता 1-10-99 से
प्रभावशील होगा तथा उसका एरियर बनाकर दो माह में भुगतान कर
दिया जावेगा। शर्त सं. 7 में यह भी तय हुआ कि उक्त समझौते से दोनों
पक्ष पाबन्द व बाध्य रहेंगे तथा श्रमिक निरन्तर उत्पादन में वृद्धि करते
रहेंगे। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित
कर दिया जावे।चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत
की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत
रूप में सम्पन्न हो गया है और समझौते उपरान्त अग्र पक्षकारों के
मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी
विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर
सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया
जाता है।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1216.-औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन
माईन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच,
अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक
अधिकरण/ग्राम न्यायालय कोटा के पंचाट (संदर्भ संख्या औ.
न्या./केन्द्रीय/20/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार
को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29011/30/2000-आईआर (एम)]

एच. एस. बीर, हेल्थ अधिकारी

New Delhi, the 30th March, 2007

S. O. 1216.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947) the Central
Government hereby publishes the Award (Ref. No. IT/C/
20/2000) of the Central Government Industrial Tribunal/
Labour Court Kota now as shown in the Annexure, in the
Industrial Dispute between the employers in relation to

the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No.L-29011/30/2000-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान

पीपसीन अधिकारी-के. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./केन्द्रीय-20/2000

दिनांक स्थापित : 11-9-2000

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या

एल-29011/30/2000/आईआर (एम) दि. 14-7-2000

रेफ्रेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

जनरल सेक्रेटरी, राष्ट्रीय मजदूर संघ,

रामगंजमण्डी जिला कोटा।

--प्रार्थी यूनियन

एवं

श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन ओनर,
सुकेत, जिला कोटा।

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी श्रमिक यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री व
प्रतिनिधि :- श्री फिरोज आबदी, एंड

अप्रार्थी नियोजक की ओर से श्री अतिकुरहमान, प्रबन्धक एवं
प्रतिनिधि :- श्री दीपक कलवार, एंड

अधिनिर्णय दिनांक : 17-2-07

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रांसागिक
आदेश/अधिसूचना दिनांक 14-7-2000 के जरिये निम्न रेफ्रेन्स,
औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत
इस न्यायाधिकरण को अधिनिर्णय सम्प्रेषित किया गया है :-

"क्या राष्ट्रीय मजदूर संघ इन्टक रामगंजमण्डी द्वारा प्रबन्धक
श्री अतिकुरहमान पुत्र अब्दुल गफूर, लाईम स्टोन खान मालिक,
पीपीखेड़ी से उसकी खान में कार्यरत कर्मकारों के लिए वित्तीय
वर्ष 1998-1999 के लिए 20% बोनस भुगतान करने की मांग
उचित एवं न्यायासंगत है? यदि हा तो संबंधित कर्मकार कितने
प्रतिशत बोनस भुगतान के हकदार हैं ?

2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त
पक्षकारों को सूचना विधिवत रूप में जारी की गयी जिस पर पक्षकारों
की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये जाने के बाद प्रार्थी
यूनियन की ओर से साक्ष्य में शपथ-पत्र प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र
के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर यह निवेदन
किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स प्रकरण में लोक
अदालत की भावना से समझौता सम्पन्न हो गया है जिसकी शर्त सं. 1
लगायत 5 में वर्णितानुसार सार रूप में यह तय हुआ कि अप्रार्थी
प्रबन्धन द्वारा, संस्थान, में कार्यरत श्रमिकों व कर्मचारियों को लेखा
वर्ष 1998-99, 1 अप्रैल, 98 से 31 मार्च, 99 तक के लिए 11% की
दर से बोनस का भुगतान, बोनस भुगतान अधिनियम, 1965 के
नियमानुसार, यूनियन प्रतिनिधियों के समक्ष दिनांक 15-4-07 तक
कर दिया जावेगा। यह भी तय हुआ कि अब लम्बित विवाद में कोई
अन्य बिन्दु शेष नहीं रहा है। अतः समझौते के आधार पर अधिनिर्णय
अन्तिम रूप से पारित कर दिया जावे।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत
की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत
रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के
मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी
विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर
सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णय कर उत्तरित किया
जाता है।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1217.-औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के
प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध
में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण
असनसोल के पंचाट (संदर्भ संख्या 146/1999) को प्रकाशित करती
है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-22012/192/1999-आईआर.(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1217.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947) the Central
Government hereby publishes the Award (Ref. No. 146/
1999) of the Central Government Industrial Tribunal/Labour
Court Asansol now as shown in the Annexure, in the
Industrial Dispute between the employers in relation to
the management of ECL and their workman, which was
received by the Central Government on 30-3-07.

[No.L-22012/192/1999-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ASANSOL

Present : Sri Md. Sarfaraz Khan,
Presiding Officer.

Reference No. 146 of 1999.

Parties : The Agent, Madhavpur Colliery of
E.C.L., Burdwan
Vrs.
The General Secretary, Koyala
Mazdoor Congress, Asansol.
Burdwan.

REPRESENTATIVES:

For the Management : Sri P.K. Das, Advocate.
For the union (Workman) : Sri Rakesh Kumar, General
Secretary, Koyala Mazdoor
Congress, Asansol.

Industry : Coal **State :** West Bengal.

Dated : 6-5-2005

AWARD

In exercise of powers conferred by clause (d) of Sub-Section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Government of India through the Ministry of Labour *vide* its letter No. L-22012/192/99-IR (CM-II) dated 31-8-1999 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management in not reinstating the workman Sh. Ramdeo Bind, Dumper Khalasi in service is justified? If not, to what relief the workman is entitled?"

Having received the Order No. L-22012/192/99-IR (CM-II) dated 31-8-99 of the said reference from the Government of India, Ministry of Labour, New Delhi, for adjudication of the dispute, a reference case No. 146 of 1999 was registered on 14-9-99/5-10-01 and accordingly an order to that effect was passed to issue notices to the respective parties through the registered post directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices were issued to the respective parties through the registered post. Sri Rakesh Kumar, General Secretary of the union and Sri P.K. Das Advocate appeared in the court to represent the union and the management respectively and filed their written statement in support of their claims.

3. In brief compass the case of the union is that he sent the information to the management about his sickness and his friends working in the colliery also informed to the management and because of this management did not issue him charge sheet. He was served with the charge sheet after one year four months of his alleged absence from duty but he did not receive the charge sheet nor he could attend the enquiry because he was sick and not able to attend the enquiry. The management conducted ex-parte enquiry and the workman was not given sufficient opportunity to prove his innocence and as such he was deprived of the principle of natural justice.

4. It is also the case of the union that as per the Supreme Court judgement and CIL guidelines punishment should not be disproportionate to the nature of offence. The management is also claimed to have violated the guidelines of CIL and the verdict of the Supreme Court by not issuing the second show cause notice to the workman concerned before issuing the dismissal order. The past record of the workman is also said to be quite good and he attended his duty regularly but due to his serious illness he failed to attend his duty. He is out of employment since 4-4-05 to till date and now he has come to the stage of starvation and his case deserves sympathetic consideration and he is read to work in any capacity if he is taken back in service. The union has sought a relief for his reinstatement after setting aside the order of dismissal passed by the management together with full back wages and other consequential benefits.

5. On the other hand the defence case of the management as per the facts stated in his written statement is that the instant dispute raised by the union is entirely a misconceived one and the facts and circumstances of the dispute referred does not come under the purview of the Industrial Disputes Act, 1947 and the same is not maintainable in the eye of law.

6. The main defence of the management is that since the explanation submitted by way of reply to the charge sheet by the workman was found totally unsatisfactory a domestic enquiry was held through an independent enquiry officer. The workman participated in the said enquiry and all reasonable opportunities were given to the workman concerned to defend his case in accordance with the principle of natural justice. The workman in his statement, before the enquiry officer admitted the charge and he made a representation before the enquiry officer for taking a lowest view. The enquiry officer submitted his report before the appointing authority with a finding of establishment and prove of the charges leveled against the workman over which the competent authority after due consideration of the materials then available was pleased to pass the order of dismissal of the workman from the service. The punishment awarded to the concerned workman is claimed to be quite befitting and proportionate.

7. It is denied by the management that the delinquent workman fell ill seriously and he was admitted at Gopalmath, Durgapur for his treatment. It is also not admitted that the workman ever sent any information to the management about his sickness through his friend working in the colliery. It is further denied that the management undertook the enquiry ex-parte and the workman was not given opportunity to prove his innocence or that he was deprived of the principles of natural justice. Lastly it is prayed that the Tribunal be pleased to hold that the action of the management is totally justified in dismissing the delinquent employee from his service and the workman is not entitled to any other relief as prayed for.

8. In view of the pleadings of both the parties and the materials available on the record I find certain facts which are admitted by both the parties. So before entering into the discussion of the merit of the case I would like to mention the facts which are admitted one.

9. It is admitted fact that Sh. Ramdeo Bind, Dumper Khalasi of Madhavpur colliery was a permanent worker of the company. It is further admitted fact that the delinquent workman was absent from his duty w.e.f. 14-04-95 to 13-08-96 without any prior permission and written information to the management.

10. It is also admitted in view of the charge sheet that the concerned workman was charge sheeted on 13-08-96 for his unauthorized absence from duty w.e.f. 14-04-95 to 13-08-96.

11. It is the settled principle of law that the facts admitted need not be proved and accordingly since these all aforesaid facts are admitted one so I do not think proper to discuss the same in detail.

12. From the perusal of the record it transpires that on 13-10-04 a hearing on the preliminary point was made. The validity and fairness of the enquiry proceedings was not challenged by the union and a prayer was made for disposal of the reference on the merit of the case. So the enquiry proceeding was held to be fair and valid and accordingly a date for the final hearing of the dispute was fixed on 06-04-05 which was finally heard on the merit and the award was kept reserved for order.

13. From the side of the management a plea has been taken in para one of the written statement that the instant reference is bad in the eye of law as the same is not legally maintainable. It is also claimed that in view of the facts and circumstances of the case the dispute is misconceived one. But the aforesaid issue was neither raised nor pressed by the side of the management during the course of the final hearing of the case. The management has neither examined any oral witness nor tendered any documents in this regard. As such I do not find any defect in the maintainability of this reference and the facts of this case very well come under the purview of the Industrial Disputes Act, 1947. The Govt of India through the Ministry of Labour has rightly referred the dispute to this Tribunal for its adjudication and as such the issue is decided against the management.

14. It further transpires from the perusal of the record that none of the parties has examined any oral witness in support of their case, rather they have filed some documents in support of their claims. The management has filed the Xerox copy of the charge sheet, domestic enquiry proceeding along with reports and the copy of the order of dismissal passed by the competent authority. On the other hand the union has filed the Xerox copy of the note sheet initiated by the management of the colliery in order to show the previous records of attendance of the delinquent employee which is admitted as it has been issued by the

management itself. The documents filed by the side of the management are also admitted as the genuineness and the contents of the same has not been challenged by the union either in course of hearing or in its written statement.

15. From the perusal of the record it transpires that the union had filed a rejoinder after having received the copy of the written statement filed by the management. In para 1 of his rejoinder the union has taken the plea that the workman concerned went on authorized leave from 19-3-95 and he came to join his duty on 03-04-95 but he was not allowed. In para 4 of the rejoinder it is claimed that the workman was admitted in the Nursing Home at Gopalmath. The Xerox copy of the treatment paper/certificate of the Doctor is enclosed herewith. But the record goes to show that no chit of paper has been filed to show that he was on authorized leave from 19-3-95 and he came to join on 03-04-95. No petition to call for those documents from the management if any was filed even by the side of the union. The union has also not examined the said workman through whom he had sent information to the management about the reasons of his absence due to illness. Besides this no staff of the said nursing home in which the concerned workman was admitted has been examined as a witness by the union. Apart from this no Xerox copy of the treatment papers or certificate of the doctor as claimed is enclosed with the rejoinder or even filed in the court. Had the union filed the same, it must have been incorporated in the list of documents filed on its behalf. However it is admitted that the workman was absent w.e.f. 14-04-95 to 14-08-96 i.e. one year four months but the reasons of absence is not supported with either oral witnesses or documentary evidence.

16. Having gone through the entire facts, circumstance, enquiry proceedings along with the findings of the enquiry officer I find that the delinquent workman was admittedly absent from his duty w.e.f. 14-04-95 to 14-08-96 i.e. about one year and four months continuously without any prior permission and information to the management. The enquiry officer has rightly held him guilty for an unauthorized absence without any sufficient reason and in the light of the said prevailing facts the concerned workman deserves some suitable punishment for the said alleged misconduct proved as per the provision prescribed in the Model Standing Order applicable to the establishment.

17. Now the next main point for consideration before the court is to see as to how far the punishment of dismissal awarded to the delinquent workman by the management is just, proper and proportionate to the alleged nature of misconduct proved.

18. Heard both the party's representatives on the point in question in details. It was argued by the side of the union that it is a simple case of an unauthorized absence and the absence from the duty during the relevant period is duly explained and the reasons of absence are sufficient

and relevant one. It was also submitted that there is no charge sheet for habitual absence rather the workman's previous record of attendance is good enough. It is claimed to be first offence of the workman which has been sufficiently explained and supported with sufficient reasons.

19. It was lastly submitted that the unauthorized absence from duty with sufficient convincing reason can not be said to be a gross misconduct and the extreme penalty of dismissal can't be imposed upon the workman.

20. The record goes to show that the workman was charge sheeted for committing the offence of unauthorized absence w.e.f. 14-4-95 to 14-8-96 i.e. one year and four months. The union has not examined the workman in this court to prove his claim. There is no record or document of the union to show that he was on authorized leave from 19-03-95 and he came to join his duty on 03-04-95. The name of the co-workers through whom the information about the sickness of the workman was sent, has been neither disclosed nor produced him in the court for evidence in support of his contention made in the rejoinder. No Xerox copy of the prescription or the certificate of the doctor of the said Nursing Home has been filed in the court. Simply pleading in the written statement will not do or the same is not the substantial piece of evidence rather the pleadings are to be practically proved in the court by means of oral or documentary evidence.

21. Having gone through the entire facts, circumstance, evidence and the discussion made above I am satisfied to hold that the workman concerned was unauthorisedly absent from his duty for a long period of one year and four months continuously without any leave, prior permission and information to the management, which is deliberate, without sufficient reasons and malafide intention. The deliberate unauthorized absence for a long period of one year four months without any compelling circumstance beyond the control of the workman causing inconvenience to the management amount to gross misconduct and the punishment of dismissal in the present facts and circumstance of the case can not be said to be disproportionate to the alleged misconduct proved. As such I am not inclined to interfere in the finding of the Disciplinary Authority of the management in passing the order of punishment of dismissal of the workman concerned and accordingly the punishment of dismissal is maintained and upheld. As such it is hereby

ORDERED

that let the reference be and the same is dismissed against the union as the workman concerned is not entitled to get any relief sought for. Send the copies of the award to the Ministry of Labour, Govt. of India, New Delhi for information and needful. The reference is accordingly disposed of.

Mt. SARFARAZ KHAN, Presiding Officer

नई दिल्ली, 30 मार्च, 2007

क्र.आ. 1218.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर्क्योलॉजिकल सर्वे आफ इण्डिया के प्रबंधन के संबंध निम्नलिखित और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में त्रम न्यायालय, औरंगाबाद के पंचकट (संदर्भ संख्या 34/06) को प्रकटित करती है, जो केन्द्रीय सरकार को 30-3-2007 को प्राप्त हुआ था।

[सं. एल-42012/143/2005-आई.आर. (सीएस-II)]

अजय कुमार गौर, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1218.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 34/06) of the Labour Court, Aurangabad (MS) as shown in the Annexure, in the Industrial Dispute between the management of Archaeological Survey of India, and their workmen, which was received by the Central Government on 30-3-2007.

[No. L-42012/143/2005-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI N.N. SHRIMANGALE, JUDGE,
LABOUR COURT, AURANGABAD

Reference (IDA) No. 34/06

Coram: Shri N.N. Shrimangale, Judge.

The Superintendent,

Archaeological Survey of India,

Near Bibika Makbara,

Aurangabad Circle,

Aurangabad-431 004

... Party No. 1.

Versus

Shri Sheshram Asaram Satdive & others,

Post Verul, Tq. Khulthbad,

Distt. Aurangabad-431 102.

... Party No. 2.

APPEARANCES :—Shri Mujtabad Gulam Mistafa,
Advocate for the first party
employer.

Shri P.A. Kulkarni, Advocate for the
second party workmen.

AWARD

(Delivered on 16-03-2007).

This is the Reference referred by the Central Government of India to the Labour Court calling the opinion of this Court about the relationship in between the employer & workmen (second party). It is referred under clause (d) of Sub-section 1 and sub-section (2A) of Section

10 of the Industrial Disputes Act, 1947 (hereinafter called "the Act").

2. The second party employee appeared in this case through Ld. Counsel Shri Kulkarni and filed their statement of claim at Ex. U-3.

3. The facts of the statement of claim, in short, are that the second party employees are the casual labourers of the first party. They are working at Ellora Caves which is under the control of Superintendent of Archaeological Survey of India. The workers at Sr. Nos. 1 to 14 are working since from 1983 and completed 240 days in a calendar year prior to 1993 for consecutive three years. They filed the application with the office at Bombay granting temporary status and regularization of casual labourers in the year 1999. Accordingly, the Central Enforcement Officer, Nasik requested party No. 2 to remain present. In the year 2004 September both the parties were directed to remain present for discussion/conciliation with regard to regularization of service of the second party workers. The Regional Labour Commissioner came to the conclusion on failure to inform to the Secretary, Government of India Ministry of Labour, New Delhi and latter on the said dispute was referred to Desk Officer as per the orders of Ministry of Labour.

4. The nature of work of the second party workman is watch & ward, cleaning, sweeping taking care of caves and all other hard work as directed by the party No. 1. Out of 200 labourers only 20 labourers are permanent.

5. Out of the workers, workers are Sr. Nos. 1 to 10 engaged from 1983, 11 to 14 engaged from 1986, 15 to 19 engaged from 1990. Party No. 1 maintains two types of record i.e. A.R. And S.R. for their budgets. 14 labourers have completed 240 days prior to 1993 as per O.M. dated 1-9-1993. Department shall grant temporary status. The nature of the work of the workers is not changed. Party No. 1 maintains accounts of the labours. So, as the labourers have worked for more than 240 days prior to 1-9-1993 they prayed to direct the first party to give them temporary status by allowing present reference.

6. The first party appeared in this case and filed written statement at Ex. C-2 through which it denied all adverse contentions of the second party workers. It objected the maintainability of the statement of claim of the second party in the eyes of law. It admitted that the second party employees are working as purely casual labours/workers and their services are accrued by the first party as per its requirement on daily wages. The casual workers are working from 1986 and onwards but no workers has completed 240 days in the consequent years. List of daily workers during the period of 1983 to 2004 filed on record at Annexure-I the casual labourers are engaged as per availability of funds.

7. Out of 19 casual labours the casual labourers Sr. Nos. 1 to 4 are working from 1983 on daily wages on muster roll. Sr. No. 6 is engaged in the year 1985 and the

workers at Sr. Nos. 5, 7 to 10 are working from 1986. Sr. No. 11 is working from 1988 and Sr. No. 12 & 13 are working from 1990 and Sr. Nos. 15 & 16 are working from 1992.

8. As per the Government Scheme temporary status are given to the casual labourers who engaged on daily wages on muster roll as on 10-9-1993 and who have completed 240 days in two consecutive years. The workers who were working from 1983, but who not completed 240 days in the year 1993 not entitled to grant temporary status.

9. As per the direction of Director General Archeological Survey of India on 21-27-8-2004 advertisement of filling of post of monument attendants have published in the Employment News and the posts were to be filled from ex-servicemen quota. So, there is no question of making any discrimination by the first party with the employees so, in this case first party is prayed to dismiss the reference.

10. Considering the rival pleadings of the parties and the documents filed on record, issues at Ex. O-4 came to be framed. I have mentioned my findings against each of them for the reasons stated therefor.

Issues	Findings
1. Whether the second party workmen prove that they worked for more than 240 days in the calendar year 1993 or prior to 1993?	No.
1-A Whether this Court has jurisdiction to entertain the Reference?	No.
2. Whether the second party workmen prove that they are entitled to grant them temporary status alongwith all consequential benefits?	No.
3. Whether the second party workmen are entitled for any relief as claimed?	No.
4. What Award?	As per final order.

REASONS

11. In support of their statement of claim the second party employees examined the employee Sheshram Asaram Satdive at Ex. U-5 by filing the evidence by way of affidavit on his own behalf on and behalf of remained employees. No more witness is examined. At the same time first party employer examined its officer Dr. Vitthal S/o Sukhdeo Badiger at Ex. C-11. No more witness is examined by the first party also.

12. Second party workers and the first party relied upon the documents filed on record by the first party which are at Ex. C-11/1 statement of detailed working days of the workers alongwith their working period from 1983 to 1995. The muster rolls at Sr. No. Ex. C-11/2 page No. 1 to 5. Letter written by the employees to the concerned officer of the first party at Ex. 3. Annexure 1 at Ex. C-5/1 showing the

number of days worked on daily wages on muster rolls by the casual labourers of Ellora Caves during the calendar year January 1983 to March, 2004. The second party employees relied upon the certificate in the name of the second party workmen Sheshram Asaram issued by Conservation Assistant Gr. II Archaeological Survey of India of Ellora Caves at Ex. U-7/1.

13. Issue No. 1.—Ld. Counsel Shri Kulkarni for the second party workmen submitted that the workers at Sr. Nos. 11 to 14 are working from 1983, workman at Sr. No. 5 from 1985, workmen at Sr. Nos. 6 to 10 from 1986 and Sr. No. 11 to 13 are from 1990, Sr. No. 14 from 1992, Sr. Nos. 15 & 16 from 2000, Sr. Nos. 17 to 19 from 1993 as casual labourers. Their muster rolls are maintained by the first party. Their nature of work is as watch & ward, cleaning sweeping, taking care of caves etc. He further stated that the second party employees have completed 240 days within the period of consecutive three years before the year 1993. So, he prayed to grant them temporary status to the workers. He diverted my attention toward the documents at Ex. C-11/1 comparing to same with the muster roll at Ex. C-11/2 page Nos. 1 to 5. As per MR No. 12 to 465 the workers have worked for 31 days. So, it is his submission that 31 days during the period of 29-8-87 to 28-9-87 and 29-9-87 to 29-10-87. He further submitted that the workers worked continuously for 31 days and it includes Sunday. So, no holidays came to be given to the temporary/casual labourers. So, relying upon the Ex. C-11/1 and muster roll he submitted that there is no consequence in between the contents in heads of account for the year 1983 to 1994 at Ex. C-11/1. And MR Register. He submitted that the first party did not prepare the head of account at Ex. C-11/1 as per the muster roll at Ex. C-11/2 page Nos. 1 to 5. But at the same time Ld. Counsel Shri S.G. Shaikh for the first party made it clear that the workers admittedly worked as casual temporary workers, they were called for work as per their requirement. So, the muster roll came to be maintained whenever the workers worked with the first party employer. In such circumstances the names of the casual labourers are not expected to be mentioned continuously in the MR register. the submission of Shri Shaikh looks me well founded as the employees are working on the basis of temporary casual workers. Therefore, whatever submissions advanced by Shri Kulkarni in this regard cannot be accepted.

14. At the same time Shri Shaikh diverted my attention towards the cross-examination of the second party workman Shri Sheshram Assaram Sathive examined at Ex. U-5 wherein he has admitted no certified document is filed on record to show that the workers worked with the first party continuously. Moreover, it is also pertinent to note that there is no mention in the statement of claim as to when workers came to be employed by the first party as workers and as to when they completed 240 days. Therefore, the contents of the application in this regard and the evidence

of the second party employee Sheshram Assaram Sathive is also vague and not specific. So, the vague contention pertaining to the important point of working continuously for more than 240 days within the period of 12 months in the last preceding year of 1993 is not clear. The first party representative officer examined at Ex. C-11 has also stated this fact in the evidence before the Court. Therefore, it is not clear from the record that whether the second party employees worked continuously in service with first party employer for 240 days in the last preceding year of 1993. So, I recorded my finding to the issue No. 1 in the negative.

15. Issue Nos. 1(A) & 2.—Both the issues are interlinked. So, I have taken them together for my determination.

16. Ld. Counsel Shri Shaikh vehemently submitted that the second party employee prayed to declare that the second party employees are entitled to temporary status and this Court has no jurisdiction to grant such relief to the employees. Moreover, as per Section 11-A of the Act, the Labour Court is having jurisdiction to entertain the industrial dispute relating to the discharge or dismissal of a workman only. So, it is explicit that this Court has no jurisdiction to give such declaration of the temporary status of the workmen. Moreover, the Ld. Counsel Shri Kulkarni also did not make it clear whether this Court has jurisdiction to entertain such a reference about the claim of temporary status to the workers. Therefore, I recorded my findings to the issue Nos. 1(A) & 2 in the negative.

17. Issue No. 3.—As I have recorded my findings to the issue Nos. 1, 1(A) & 2 in the negative for the reasons stated therefor. So, the second party workmen are not entitled to claim any relief from the Court. Therefore, I recorded my finding to the issue No. 3 in the negative.

18. Considering my findings to the issue Nos. 1, 1(A), 2 & 3 in the negative for the reasons stated therefore, the Reference deserves to be dismissed. Hence, I proceed to pass the following Award.

AWARD

1. The Reference stands dismissed.
2. Second party workmen are not entitled to any relief as claimed.
3. No order as to costs.
4. The Award be submitted to the Central Government of India Ministry of labour, New Delhi.

Place: Aurangabad.

Dated: 16-3-2007

N.N. SHRIMANGALE, Judge

नई दिल्ली, 4 अप्रैल, 2007

क्र.अ. 1219-सामाजिक न्याय अधिनियम, 1947 (1947 का 14) की धारा 17 के अधिनियम में, केन्द्रीय सरकार एकर हॉटिंग

लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय मुम्बई-I के पंचाट (संदर्भ संख्या 2/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-11012/75/2001-आई. आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S.O. 1219.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Mumbai-I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Air India Ltd. and their workman, which was received by the Central Government on 4-4-2007.

[No. L-11012/75/2001-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT

PRESIDING OFFICER
JUSTICE GHANSHYAMDASS

(REFERENCE NO. CGIT-02 of 2002)

Parties Employers in relation to the management of Air India Ltd.

AND

Their workmen.

Appearances:

For the Management : Shri Saptarshi Ghosh

For the Workman : Shri M.B. Anchan

State : Maharashtra

Mumbai, dated the 14th day of March' 2007

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub section 1 of Section 10 of the Industrial Disputes Act 1947 (the Act for short) vide Government of India, Ministry of Labour, New Delhi Order No. L-11012/75/2001-IR (C-1) dated 28-2-2002. The terms of reference given in the scheduled are as follows:

"Whether the action of the management of Air India Ltd., Mumbai in dismissing Shri J.G. Khatri, Ex-Sr. Loader w.e.f. 15-1-1998 from

service is legal and justified? If not to what relief is the workman entitled?"

2. The matter came up for hearing today. The learned counsel for the workman Mr. M.B. Anchan, Adv. stated that he does not have any instructions from the workman despite his communication into the matter. The learned counsel for the Air India Mr. Ghosh is present and is heard. The perusal of the record goes to show that the workman had filed his statement of claim on 28-8-2002 and the Air India has filed written statement on 17-2-2003. Thereafter, the workman filed rejoinder on 06-08-2003 and the matter remained pending for hearing. The workman filed his affidavit in lieu of his examination in chief as back as on 26-2-2004 but the workman is not available since then for cross-examination. In view of his non-availability for cross-examination, he is discharged today as prayed by the Air India vide application dt. 18-12-2006 wherein it was mentioned that according to the information with the Air India, the workman has taken up the employment abroad after his dismissal.
3. In these circumstances, the fact remains that the workman has not appeared to contest the instant Reference and challenge his dismissal. It may also be mentioned that as soon as the workman was dismissed from service, the Air India had moved an Approval Application under Section 33(2)(b) of the Industrial Dispute Act vide NTB-7 of 1998 and the same was allowed by the National Industrial Tribunal vide order dt. 12-11-1998. The non-appearance of the workman leads me to infer that he is not interested in service with the Air India.
4. In these circumstances, I have no option but to dismiss the reference for non-prosecution.
5. The Reference is accordingly dismissed.
6. An Award is made accordingly.

JUSTICE GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 30 मार्च, 2007

का.आ. 1220.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोटा के पंचाट (संदर्भ संख्या औ. न्या./के. 5/01) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29012/06/2001-आई. आर. (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1221.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. ITC/5/01) of the Central Government Industrial Tribunal/labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No. L-29012/06/2001-IR (M)]

N. S. BORA, Desk Officer

अनुबंध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राज.

पीठासीन अधिकारी-के.के. गुप्ता, आर.एच.जे.एस.

रेफरेन्स प्रकरण क्रमांक : ओ. न्य./केन्द्रीय-5/01

दिनांक स्थापित : 16-4-01

प्रसंग : भारत सरकार, क्रम संख्या, नई दिल्ली के आदेश संख्या एल-29012/6/2001/आईआर (एम) रि. 27-3-01

रेफरेन्स अर्द्धांत धारा 10(1)(घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

साथी, राष्ट्रीय मजदूर संघ,

(इन्डक) रामनजमगढ़ी जिला कोटा।

--प्राची यूनियन

द्वारा

श्री अतिरुहमान पुत्र श्री अबुल-मज्दूर, लार्डम स्टेन, खदान ओनर, सुकोट जिला कोटा।

--अग्रणी नियोजक

व्यक्तिगत

प्राची यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री
प्रतिनिधि :- एवं श्री फिरोज आखरी, एड.

अग्रणी नियोजक की ओर से श्री अतिरुहमान, प्रबन्धक एवं
प्रतिनिधि :- श्री दीपक तलवार, एड.

अधिवर्षिक दिनांक : 17-2-07

: अधिवर्षिक :

भारत सरकार, क्रम संख्या, नई दिल्ली के उक्त प्रसादिक आदेश दिनांक 27-3-01 के अन्तर्गत निम्न रेफरेन्स, औद्योगिक विवाद अधिनियम 1947 की धारा 10(1)(घ) के अन्तर्गत इसे न्यायाधिकरण की अधिवर्षिक संपीठा किया गया है :-

"क्या राष्ट्रीय मजदूर संघ (इन्डक) रामनजमगढ़ी द्वारा प्रबन्धन श्री अतिरुहमान पुत्र अबुल मज्दूर, लार्डम स्टेन खदान मालिक, पीलाखोदी, सुकोट से उसकी खान में कार्यरत कामगारों के लिए वित्तीय वर्ष 1999-2000 के लिए 20 प्रतिशत बोनस भुगतान करने की मांग उचित एवं न्यायसंगत है? यदि हाँ

तो संबंधित कर्मकार कितने प्रतिशत बोनस भुगतान के हकदार हैं?"

2. रेफरेन्स/न्यायाधिकरण में प्रकट होने पर संबंधित औद्योगिक पक्षकारों को सूचना विधिवत रूप में जारी की गयी थी कि पक्षकारों की ओर से अपना बलेम स्टेटमेंट प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर उक्त निवेदन किया गया विपक्षकारों के मध्य लम्बित रेफरेन्स प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसकी शर्त सं. 1 लगायत 5 में वर्णितानुसार 'सार रूप में यह तब हुआ कि अग्रणी प्रबन्धन द्वारा संस्थान में कार्यरत अधिकांश कर्मचारियों को लेखा वर्ष 1999-2000 (1 अप्रैल, 99 से 31 मार्च 2000 तक) के लिए 20% की दर से बोनस का भुगतान, बोनस भुगतान अधिनियम, 1965 के नियमानुसार, सूचित्यक प्रतिनिधियों के समक्ष दिनांक 15-4-07 तक कर दिया जाएगा। यह भी तय हुआ कि अब लम्बित विवाद में कोई अन्य बिन्दु शेष नहीं रहा है। अतः समझौते के आधार पर अधिवर्षिक अन्तिम रूप से पारित कर दिया जावे।

चूंकि पक्षकारों के मध्य लम्बित रेफरेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतरादा समझौते के आधार पर समप्रेषित रेफरेन्स/विवाद को इसी प्रकार अधिवर्षिक कर उचित किया जाता है।

के.के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

सं.आ. 1221.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लार्डम स्टेन माइन के प्रबंधन के संबंध निम्नोक्तों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/क्रम न्यायालय कोटा के फंड (सर्वन संख्या ओ. न्य./के. 7/01) को प्रकटित करती है; जो केन्द्रीय सरकार की 30-3-07 को प्राप्त हुआ था।

[सं. एल-29012/06/2001-आईआर (एम)]

एन. एस. बौरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1221.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. ITC/5/01) of the Central Government Industrial Tribunal/labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No. L-29012/06/2001-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राज./

पीठासीन अधिकारी-के.के. गुप्ता, आर.एच.जे.एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./केन्द्रीय-7/01

दिनांक स्थापित : 19-4-01

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या

एल-29012/8/2001/आईआर (एम) दि. 30-3-01

रेफ्रेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

जनरल सेक्रेटरी, राष्ट्रीय मजदूर संघ रामगंजमण्डी जिला कोटा ।

--प्रार्थी यूनियन

एवं

श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन ओनर ओनर, सुकेत जिला कोटा ।

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री
प्रतिनिधि :- एवं श्री फिरोज आबदी, एड
अप्रार्थी नियोजक की ओर से श्री अतिकुरहमान प्रबन्धक एवं
प्रतिनिधि :- श्री दीपक तलवार, एड

अधिनिर्णय दिनांक : 17-2-07

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रासंगिक आदेश/दि. 30-3-01 के जरिये निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

“क्या प्रबन्धन श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन खदान मालिक, पीपाखेड़ी, सुकेत जिला कोटा/राज./ द्वारा उनकी खान में कार्यरत कर्मकारों के लिए समझौता वार्ता द्वारा दैनिक मजदूरी में बढ़ोतरी न करने की कार्यवाही उचित एवं न्यायसंगत है? यदि नहीं तो संबंधित कर्मकार किस अनुतोष को हकदार हैं ?”

2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी । जिस पर प्रार्थी श्रमिक यूनियन की ओर से अपना क्लेम स्टेटमेंट प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसके तहत शर्त सं. 2 में वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धक संस्थान में कार्यरत बिलो-ग्राउण्ड में कार्य करने वाले समस्त कुली/बेलदारों को

प्रतिदिन 37 रु. व भारत सरकार द्वारा घोषित विशेष भत्ता 23.58 पै. जोड़कर कुल 60.87 पै. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा, शर्त सं. 3 में वर्णितानुसार खदानों में कार्यरत कारीगर (स्टोन कटर) को 45 रु. प्रति सो वर्गफीट पत्थर कटाई के तथा निर्धारित विशेष भत्ता 28.23 पै. बिलो ग्राउण्ड का प्रतिदिन के हिसाब से भुगतान करेगा, शर्त सं. 4 में वर्णितानुसार 1500 रु. वेतन मिलने वाले कर्मचारियों के वेतन में 75 रु. व उससे अधिक वेतन मिलने वाले कर्मचारियों के वेतन में 100 रु. वार्षिक वेतन वृद्धि करेगा व विशेष भत्ता बिलो ग्राउण्ड का भी दिया जावेगा, शर्त सं. 5 के तहत यूनियन द्वारा मधुर औद्योगिक सम्बन्ध बनाये रखने के लिए अन्य मांगें वापस ले ली गई । शर्त सं. 6 में वर्णितानुसार यह भी तय हुआ कि यह समझौता 1-10-2000 से प्रभावशील होगा तथा उसका एरियर बनाकर दो माह में भुगतान कर दिया जावेगा । शर्त सं. 7 में यह भी तय हुआ कि उक्त समझौते से दोनों पक्ष पाबन्द व बाध्य रहेंगे तथा श्रमिक निरन्तर उत्पादन में वृद्धि करते रहेंगे । अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे ।

चूंकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है ।

के.के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1222.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबंध में नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोटा के पंचाट (संदर्भ संख्या औ. न्या./के. 18/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था ।

[सं. एल-29011/14/99-आई.आर.(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1222.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/18/99) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No. L-29011/14/99-IR (M)]

N. S. BORA, Desk Officer

अनुसूचक

न्यायाधीश, औद्योगिक न्यायाधिकरण/कोर्ट/कोटा/राजस्थान/

पीतसीन अधिकारी-को. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./कोर्टीय-18/99

दिनांक स्थापित : 26-7-99

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29011/14/98/आर्डीआर (एम) दि. 12-7-99

रेफ्रेन्स अन्तर्गत धारा 10(1) (घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

अमरल सोलेहरी, राष्ट्रीय मजदूर संघ,
राजगणमण्डवी, जिला कोटा।

--प्राची युनियन

एवं

श्री अतिकुंरुमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन ओनर,
सुकेत जिला कोटा।

--अप्राची निधोजक

कर्मिकता

प्राची युनियन की ओर से
प्रतिनिधि :-श्री सचिंतपाल गुप्ता, मंत्री एवं
श्री फिरोज आबदी एहअप्राची निधोजक की ओर से
प्रतिनिधि :-श्री अतिकुंरुमान प्रबन्धक व श्री
दीपक तलवार, इंड

अधिनिर्णय दिनांक : 17-2-07

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त आदेश दिनांक 12-7-99 के अन्तिम निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ समर्पित किया गया है :-

"Whether the action of the management of Shri Atikurman, Limestone Mine Owner, Suket, in not increasing the pay of workmen who have put in 240 days of service as per settlement is justified? If not, to what relief the workmen are entitled?"

2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर संबंधित उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी जिस पर दोनों पक्षों की ओर से अपने-अपने अध्यावेदन प्रस्तुत किये जाने के बाद प्राची युनियन की ओर से अपनी सख्त प्रस्तुत की गयी।

3. दौरान विचारण पक्षकारों द्वारा संपुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांक 15-2-07 प्रस्तुत कर निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसके तहत शर्त सं. 2 में वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धक संस्थान में

कार्यरत बिलो-ग्राउण्ड में कार्य करने वाले सहायक कुलीन-बेलमार्तों को प्रतिदिन 35 रु. व भारत सरकार द्वारा प्रेषित विदेशी मुद्रा 47.18 पै. जोड़कर कुल 52.13 पै. प्रतिदिन के विवरण के अनुसार सुधार करने का शर्त सं. 3 में वर्णितानुसार खदानों में कार्यरत भारतीय स्टेन पावर को 42 रु. प्रति सौ किलो पत्थर कटौत के तथा निधोजक विदेशी मुद्रा 20.27 पै. बिलो ग्राउण्ड का प्रतिदिन के विवरण से भुगतान करने का शर्त सं. 4 में वर्णितानुसार 1500 रु. वेतन मिलने वाले कर्मिकों को वेतन में 30 रु. व उसके अधिक वेतन मिलाने वाले कर्मिकों को वेतन में 75 रु. वार्षिक वेतन वृद्धि करेगा व विरोध भरा बिलो ग्राउण्ड को भी दिया जायेगा, शर्त सं. 5 के तहत किसी भी श्रमिक के चोट लगने व बीमार होने पर संस्थान द्वारा इलाज करवा दिया जायेगा, शर्त सं. 6 के तहत संस्थान में प्राइवेट ठेकेदारों के अधीन काम दिया जाता रहा है, उसे प्रबन्धक द्वारा खदान में कार्यरत श्रमिकों को सुधार करने के अनुसार सार्वजनिक सुविधा दे दी जायेगी, शर्त सं. 8 के तहत प्रबन्धक द्वारा खदान में कार्यरत श्रमिकों के बच्चों को कक्षा पाँचवी तक की किताबों के बिल पेश करने पर भुगतान कर दिया जायेगा, शर्त सं. 9 के तहत प्रबन्धक द्वारा खदानों में कार्यरत श्रमिकों को बिलो ग्राउण्ड की सभी सुविधायें मध्यम वर्ग में दी जायेगी, शर्त सं. 10 के तहत यह भी तय हुआ कि समझौते के अनुसार परिष्कार के अनुसार युनियन प्रतिनिधियों के समक्ष श्रमिकों के वेतन के अनुसार सुधार कर दिया जायेगा। यह भी तय हुआ कि दोनों पक्षों के मध्य हुआ उक्त समझौता दिनांक 1-10-98 से प्रभावशील होगा। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से प्रारित कर दिया जाये।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रबन्धक से आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौते उपरान्त उक्त प्रबन्धक के मध्य किसी प्रकार का कोई विवाद रोच नहीं रहा है, अतः समझौते के विवाद समाप्त हो गये हैं, अतः प्रस्तुत समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णय कर उत्तरित किया जाता है।

को. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1223.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार व. कोर्टीय सरकार लाईम स्टोन माईन के प्रबंधन के संबंध निधोजकों और उनके कर्मिकों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में कोर्टीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोटा के संचाल (संख्या संख्या ओ. न्या./कोर्टीय 19/98) के अधिनियम के अंतर्गत कोर्टीय सरकार को 30-3-07 को प्राप्त हुआ था।

[सं. एल-29011/14/98-आर्डीआर (एम)]

एच. एस. बोरा, इंसपेक्टर ऑफ़ लैबर

New Delhi, the 30th March, 2007

S. O. 1223.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/19/98) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No. L-29011/11/98-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान

पीठासीन अधिकारी-के. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : औ. न्या./केन्द्रीय-19/98

दिनांक स्थापित : 1-9-98

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29011/11/98/आईआर (एम) दि. 17-8-98

रेफ्रेन्स अन्तर्गत धारा 10(1)(घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

जनरल सेक्रेटरी, राष्ट्रीय मजदूर संघ,
राजगंजमण्डी जिला कोटा ।

--प्रार्थी यूनियन

एवं

श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन ओनर,
सुकेत जिला कोटा ।

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री एवं
प्रतिनिधि :- श्री फिरोज आबदी एड.

अप्रार्थी नियोजक की ओर से श्री अतिकुरहमान प्रबन्धक एवं श्री
प्रतिनिधि :- दीपक तलवार, एड.

अधिनिर्णय दिनांक : 17-2-07

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रशासनिक आदेश दिनांक 17-8-98 के जरिये निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

"Whether the demand of Rashtriya Mazdoor Sangh, Ramganjmandi for payment of 20% bonus for the year 1996-97 to the workmen working in the Limestone Mines of Shri Atikurrehman, Mine Owner, is justified? If so to what relief the workmen are entitled?"

2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी जिस पर दोनों पक्षों की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये जाने के बाद प्रार्थी यूनियन की ओर से अपनी साक्ष्य प्रस्तुत की गयी ।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसकी शर्त सं. 1 लगावत 5 में वर्णितानुसार सार रूप में यह तय हुआ कि अप्रार्थी प्रबन्धन द्वारा संस्थान में कार्यरत श्रमिकों व कर्मचारियों को लेखा वर्ष 1996-97 (1 अप्रैल, 1996 से 31 मार्च, 97 तक) के लिए 11% की दर से बोनस का भुगतान अधिनियम, 1965 के नियमानुसार, यूनियन प्रतिनिधियों के समक्ष दिनांक 15-4-07 तक कर दिया जावेगा । यह भी तय हुआ कि अब लम्बित विवाद में कोई अन्य बिन्दु शेष नहीं रहा है । अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से परित कर दिया जावे ।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है ।

के.के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1224.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोटा के पंचाट (संदर्भ संख्या औ. न्या./केन्द्रीय 13/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था ।

[सं. एल-29011/06/97-आईआर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1224.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/13/97) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No. L-29011/06/97-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान
पीकसीन अधिकारी-के. के. गुप्ता, आर. एच. जे. एस.

रेक्रेन्स प्रकरण क्रमांक : सी. न्या./केन्द्रीय-13/97

दिनांक स्थापित : 22-5-97

प्रसंग : भारत सरकार, अम मंत्रालय, नई दिल्ली को आदेश संख्या
एल-29011/06/97/आईआर (विधि) दि. 14-5-97

रेक्रेन्स अन्तर्गत धारा 10(1)(ब)

औद्योगिक विवाद अधिनियम, 1947

मध्य

श्री, राष्ट्रीय मजदूर संघ, (इन्डक)
राज्यमण्डल विभागाधीन।

--प्रार्थी युनियन

एवं

श्री अतिरिक्तमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन और,
सुकेत जिला, कोटा।

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी युनियन की ओर से श्री समसोपाल गुप्ता, मंत्री एवं
प्रतिनिधि :- श्री विरोध अन्वरी, एड.

अप्रार्थी नियोजक की ओर से श्री अतिरिक्तमान प्रबन्धक एवं
प्रतिनिधि :- श्री दीपक सलवार, एड.

अधिनिर्णय दिनांक : 17-2-07

अधिनिर्णय

भारत सरकार, अम मंत्रालय, नई दिल्ली के उक्त प्रशासनिक
आदेश दिनांक 14-5-97 के जरिये निम्न रेक्रेन्स, औद्योगिक विवाद
अधिनियम, 1947 की धारा 10(1)(ब) के अन्तर्गत इस
न्यायाधिकरण को अधिनिर्णयार्थ समर्पित किया गया है :-

"क्या प्रबन्धन श्री अतिरिक्तमान पुत्र श्री अब्दुल गफूर भाई,
लाईम स्टोन खदान, पीपलखेड़ी, सुकेत द्वारा उनकी खान में
कार्यरत कर्मचारों के लिए समझौता प्राप्ति द्वारा दैनिक मजदूरी
में कटौती न करने की कर्मचारी सभा जिन श्रमिकों ने 240
दिन कार्य करते हुए अवधि पूर्ण कर ली है, उन्हें स्थगित जोषित
न करने की कर्मचारी उचित एवं न्यायसंगत है? यदि नहीं तो
संबंधित कर्मचार किस अनुदान के हकदार हैं?"

2. रेक्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीकृत उपरान्त
पक्षकारों की सूचना विधिवत रूप में जारी की गयी जिस पर दोनों
पक्षों की ओर से अपने-अपने अधिवक्ता नियुक्त किये गये।

3. दौरान विवाद पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र
के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर यह निवेदन

किया गया कि पक्षकारों को समझौता-पत्र दिनांकित 15-2-07 के अन्तर्गत
भावना से समझौता सम्पन्न हो गया है जिसके तहत सर्व सं. 3 में
वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धक, संस्थान में
कार्यरत कर्मचारियों-प्राठण्ड में कार्य करने वाले समस्त कुली/केलदारों को
प्रतिदिन 35/- रु. व भारत सरकार द्वारा जोषित विशेष भत्ता 7.75 रु.
जोड़कर कुल 42.75 रु. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा,
सर्व सं. 3 में वर्णितानुसार कर्मचारियों को कार्यरत कर्मचारियों के कटौत
को 42/- रु. प्रति सौ वर्गफुट समस्त कर्मचारियों को समझौता-पत्र विशेष
भत्ता 9.85 रु. विशेष प्राठण्ड का प्रतिदिन के हिसाब से भुगतान करेगा,
सर्व सं. 4 में वर्णितानुसार 1500/- रु. प्रत्येक मजदूर को कर्मचारियों
के वेतन में 75/- रु. व इससे अधिक वेतन मिलने वाले कर्मचारियों
के वेतन में 100/- रु. वार्षिक वेतन वृद्धि करेगा व विशेष भत्ता विशेष
प्राठण्ड का भी दिया जायेगा, सर्व सं. 5 के तहत अधिनियम द्वारा मजदूर
औद्योगिक सम्बन्ध बनाये रखने के लिए अन्य योग्य वापस से ली गई।
सर्व सं. 6 में वर्णितानुसार यह भी तय हुआ कि यह समझौता
1-07-96 से प्रभावशील होना तथा उसका एवरि करवाकर दो माह में
भुगतान कर दिया जायेगा। सर्व सं. 7 में यह भी तय हुआ कि उक्त
समझौते से दोनों पक्ष पक्षकार व कर्मचारियों तथा श्रमिक निवार
उत्पादन में वृद्धि करते रहेंगे। अतः समझौता आधार पर अधिनिर्णय
अन्तिम रूप से पारित कर दिया जाये।

हृदय प्रकाशों को प्राप्त करके रेक्रेन्स अधिनियम में उक्त प्रशासनिक
की भावना से प्रेरित होकर उक्त प्रकार से समझौता-पत्र दिनांकित
रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के
मध्य किसी प्रकार का कोई विवाद संच नहीं रहा है, अतः सभी
विवाद समाप्त हो गये हैं, अतः प्रस्तुत समझौते को आधार पर
समर्पित रेक्रेन्स/विवाद को इसी प्रकार अधिनिर्णय कर उपरिष्ठ किया
जाता है।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

कर.आ. 1225.-औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 17 के अनुसार यह, केन्द्रीय सरकार लाईम स्टोन
माईन के प्रबंधन के संबंध में निम्नलिखित और उक्त कर्मचारियों के बीच,
अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक
अधिकरण/अम न्यायालय कोटा के पंचाट (अधिनियम संख्या
औ. न्या./केन्द्रीय 22/97) को प्रकाशित करती है, जो केन्द्रीय सरकार
को 30-3-07 को प्राप्त हुआ था।

[ई. एल-29011/5/97-आईआर (एम)]

एन एस कोटा, उक्त अधिकारी

New Delhi, the 30th March, 2007.

S.O. 1225.-In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947) the Central
Government hereby publishes the Award (Ref. No. IT/C/
22/97) of the Central Government Industrial Tribunal/
Labour Court, Kota now as shown in the Annexure, in the
Industrial Dispute between the employees in relation to

the management of Lime Stone Mine and their workmen, which was received by the Central Government on 30-3-07.

[No. L-29011/03/97-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान/

पीठासीन अधिकारी-के. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./केन्द्रीय-22/97

दिनांक स्थापित : 10-7-97

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या

एल-29011/3/97/आईआर (विविध) दि. 19-6-97

रेफ्रेन्स अन्तर्गत धारा 10(1)(घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

मंत्री, राष्ट्रीय मजदूर संघ, (इन्टक)

रामगंजमण्डी जिला कोटा ।

--प्रार्थी यूनियन

एवं

श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन खान मालिक, सुकेत जिला कोटा ।

--अप्रार्थी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री एवं प्रतिनिधि :- श्री फिरोज आबदी एड.

अप्रार्थी नियोजक की ओर से श्री अतिकुरहमान प्रबन्धक व प्रतिनिधि :- श्री दीपक तलवार, एड.

अधिनिर्णय दिनांक : 17-2-07

: अधिनिर्णय :

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रशासनिक आदेश दिनांक 19-6-97 के जरिये निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

“क्या राष्ट्रीय मजदूर संघ (इन्टक) रामगंजमण्डी द्वारा प्रबन्धन श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन खदान मालिक, पीपाखेड़ी, से उसकी खान में कार्यरत कर्मकारों के लिए वित्तीय वर्ष 1995-96 के लिए 20 प्रतिशत बोनस भुगतान करने की मांग उचित एवं न्यायासंगत है? यदि हां तो संबंधित कर्मकार कितने प्रतिशत बोनस भुगतान के हकदार हैं?”

2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी जिस पर दोनों पक्षों की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये जाने के बाद प्रार्थी यूनियन की ओर से अपनी साक्ष्य प्रस्तुत की गयी।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स प्रकरण में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसकी शर्त सं. 1 लगायत 5 में वर्णितानुसार सार रूप में यह तय हुआ कि अप्रार्थी प्रबन्धन द्वारा संस्थान में कार्यरत श्रमिकों व कर्मचारियों को लेखा वर्ष (1995-96) 1 अप्रैल, 1995 से 31 मार्च, 1996 तक के लिए 11% की दर से बोनस का भुगतान अधिनियम, 1965 के नियमानुसार, यूनियन प्रतिनिधियों के समक्ष दिनांक 15-4-07 तक कर दिया जावेगा। यह भी तय हुआ कि अब लम्बित विवाद में कोई अन्य बिन्दु शेष नहीं रहा है। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधिवत रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है।

के.के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1226.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोटा के पंचाट (संदर्भ संख्या औ. न्या./केन्द्रीय/9/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-2007 को प्राप्त हुआ था।

[सं. एल-29011/28/97-आईआर(एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1226.—In pursuance of Section 17 of the Industrial Disputes Act, (14 of 1947) the Central Government hereby publishes the Award (Ref. No. IT/C/9/98) of the Central Government Industrial Tribunal/Labour Court, Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-2007.

[No. L-29011/28/97-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान/

पीठासीन अधिकारी-के. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./केन्द्रीय/9/98

दिनांक स्थापित : 22-5-98

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29011/57/2002/आईआर (विविध) दि. 11-2-03

रेफ्रेन्स अन्तर्गत धारा 10(1)(घ)

औद्योगिक विवाद अधिनियम, 1947

मध्य

अध्यक्ष, राष्ट्रीय मजदूर संघ, (इन्टक)

रामगंज मण्डी जिला कोटा ।

—प्राथी यूनियन

एवं

श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन ओनर, सुहेल, तहसील रामगंज मंडी जिला कोटा ।

—अप्राथी नियोजक

उपस्थित

प्राथी यूनियन की ओर से श्री रामगोपाल गुप्ता, मंत्री एवं प्रतिनिधि :— श्री फिरोज आबदी, एड.

अप्राथी नियोजक की ओर से श्री अतिकुरहमान प्रबन्धक व प्रतिनिधि :— श्री दीपक तलवार, एड.

अधिनिर्णय दिनांक : 17-2-07

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के उक्त प्रशासनिक आदेश दिनांक 11-2-03 के तहिये निम्न रेफ्रेन्स, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

“बन्धा प्रबन्धन श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन खदान मालिक, सुहेल जिला कोटा राज. द्वारा उनकी खान में कार्यरत कर्मकारों के लिए समझौता वार्ता द्वारा मजदूरी में बढोतरी न करने की कार्यवाही उचित एवं न्यायासंगत है? यदि तो संबंधित कर्मकार किस अनुतोष के हकदार हैं?”

2. रेफ्रेन्स न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी जिस पर प्राथी यूनियन की ओर से अपने-अपने अपना क्लेक स्टेटमेंट प्रस्तुत किया गया।

3. दौरान विचारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थना-पत्र के साथ समझौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लम्बित रेफ्रेन्स में लोक अदालत की भावना से समझौता सम्पन्न हो गया है जिसके तहत शर्त सं. 2 में वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धक, संस्थान में कार्यरत बिलो-ग्राउण्ड में कार्य करने वाले समस्त कुली/बेलदारों को प्रतिदिन 64 रु. व भारत सरकार द्वारा घोषित विशेष भत्ता 2.94 पै. जोड़कर कुल 66.94 पै. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा, शर्त सं. 3 में वर्णितानुसार खदानों में कार्यरत कारीगर (स्टोन कटर) को 76 रु. प्रति सौ वर्गफीट पत्थर कटाई के तथा निर्धारित विशेष भत्ता 3.57 पै. बिलो ग्राउण्ड का प्रतिदिन के हिसाब से भुगतान करेगा, शर्त

सं. 4 में वर्णितानुसार 1500 रु. वेतन मिलने वाले कर्मचारियों के वेतन में 50 रु. व उससे अधिक वेतन मिलने वाले कर्मचारियों के वेतन में 75 रु. वार्षिक वेतनवृद्धि करेगा व विशेष भत्ता बिलो ग्राउण्ड का भी दिया जावेगा, शर्त सं. 5 के तहत यूनियन द्वारा मधुर औद्योगिक सम्बन्ध बनाये रखने के लिए अन्य मांगे वापस ले ली गई । शर्त सं. 6 में वर्णितानुसार यह भी तय हुआ कि यह समझौता 1-10-2001 से प्रभावशील होगा तथा उसका एरियर बनाकर दो माह में भुगतान कर दिया जावेगा । शर्त सं. 7 में यह भी तय हुआ कि उक्त समझौते से दोनों पक्ष पाबन्द व बाध्य रहेंगे तथा श्रमिक निरन्तर उत्पादन में वृद्धि करते रहेंगे। अतः समझौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे ।

चूँकि पक्षकारों के मध्य लम्बित रेफ्रेन्स/विवाद में लोक अदालत की भावना से प्रेरित होकर उक्त प्रकार से आपसी समझौता विधेवत रूप में सम्पन्न हो गया है और समझौते उपरान्त अब पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अर्थात् सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा समझौते के आधार पर सम्प्रेषित रेफ्रेन्स/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है ।

के. के. गुप्ता, न्यायाधीश

नई दिल्ली, 30 मार्च, 2007

का.आ. 1228.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाईम स्टोन माईन के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोटा के पंचाट (संदर्भ संख्या औ. न्या./केन्द्रीय 17/03) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-3-07 को प्राप्त हुआ था ।

[सं. एल-29012/8/2003-आई.आर.(विविध)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 30th March, 2007

S. O. 1228.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the Award (Ref. No. ITR/(C)/17/03) of the Central Government Industrial Tribunal/Labour Court, Kota now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the Management of Lime Stone Mine and their workman, which was received by the Central Government on 30-3-07.

[No.L-29012/8/2003-IR (M)]

N. S. BORA, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण/केन्द्रीय/कोटा/राजस्थान/

पीठासीन अधिकारी—के. के. गुप्ता, आर. एच. जे. एस.

रेफ्रेन्स प्रकरण क्रमांक : ओ. न्या./केन्द्रीय-17/03

दिनांक स्थापित : 19-05-03

प्रसंग : भारत सरकार, क्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल-29012/8/2003/आई आर (विचित्र) दि. 8-5-03

रेगुलेशन अन्तर्गत धारा 10(1)(घ)

औद्योगिक विवाद अधिनियम, 1947

कथ्य

जमरल सैफुद्दीन राष्ट्रीय मजदूर संघ,
रामगंज मण्डी जिला कोटा।

—प्रार्थी यूनियन

एवं

श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन माईन ओनर,
सुहेल, रामगंज मण्डी जिला कोटा।

—अप्रार्थी नियोजक

उपस्थित

प्रार्थी यूनियन की ओर से श्री समगोपाल गुप्ता, मंत्री एवं
प्रतिनिधि :- श्री किरोज अम्बा एड.

अप्रार्थी नियोजक की ओर से श्री अतिकुरहमान प्रबन्धक व
प्रतिनिधि :- श्री दीपक तलवार, एड.

अधिनिर्णय दिनांक : 17-2-07

अधिनिर्णय

भारत सरकार, क्रम मंत्रालय, नई दिल्ली के उक्त प्रासंगिक आदेश दिनांक 8-5-03 के जरिये निम्न रेगुलेशन, औद्योगिक विवाद अधिनियम, 1947 की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयक सम्प्रेषित किया गया है :-

"क्या प्रबन्धन मैसर्स श्री अतिकुरहमान पुत्र श्री अब्दुल गफूर, लाईम स्टोन खदान-माइनिंग, सुहेल रामगंज मण्डी कोटा राज. द्वारा उसकी खान में कार्यरत कर्मचारियों के लिए सम्झौता बार्ता द्वारा दैनिक मजदूरी में कटौती नहीं करने की कार्यवाही उचित एवं न्यायासंगत है? यदि तो संबंधित कर्मकार अनुलोचन के हकदार हैं?"

2. रेगुलेशन न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध कथरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी प्रार्थी श्रमिक यूनियन की ओर से अपना क्लेम स्टेटमेंट प्रस्तुत किया गया

3. कौशल निष्कारण पक्षकारों द्वारा संयुक्त रूप से प्रार्थन-पत्र के साथ सम्झौता-पत्र दिनांकित 15-2-07 प्रस्तुत कर यह निवेदन किया गया कि पक्षकारों के मध्य लाम्बित रेगुलेशन में लोक अपीलत की भावना से सम्झौता सम्पन्न हो गया है जिसके तहत शर्त सं. 2 में वर्णितानुसार पक्षकारों के मध्य यह तय हुआ कि प्रबन्धक, संस्थान में कार्यरत बिलो ग्राउण्ड में कार्य करने वाले समस्त कुली/बेल्लेदारों को प्रतिदिन 65 रु. व भारत सरकार द्वारा घोषित विशेष भत्ता 2.94 पै. जोड़कर कुल 67.94 पै. प्रतिदिन के हिसाब से मजदूरी भुगतान करेगा, शर्त सं. 3 में वर्णितानुसार कथनों में कार्यरत कारीगर (स्टोन गटर) को 78 रु. प्रति सौ वर्गफीट पत्थर कटाई के द्वारा निर्धारित विशेष

भत्ता 3.57 पै. बिलो ग्राउण्ड पर प्रतिदिन के हिसाब से भुगतान करेगा, शर्त सं. 4 में वर्णितानुसार 1500 रु. प्रत्येक निम्नलिखित कार्यकारियों के वेतन में 75 रु. व इससे अधिक वेतन वाले अधिकारियों के वेतन में 100 रु. वार्षिक वेतनवृद्धि करेगा व विशेष भत्ता बिलो ग्राउण्ड का भी दिया जावेगा, शर्त सं. 5 की संज्ञा यूनियन द्वारा मधुर औद्योगिक सम्बन्ध बनाये रखने के लिए अन्य मांगों को हल से करी गई। शर्त सं. 6 में वर्णितानुसार यह भी तय हुआ कि यह सम्झौता 1-10-2008 से प्रभावीशील होगा तथा उसका एरिक् बनावर के माध्यम से भुगतान कर दिया जावेगा। शर्त सं. 7 में यह भी तय हुआ कि उक्त सम्झौते से दोनों पक्ष पबन्ध व बाध्य रहेंगे तथा श्रमिक भिरन्तर उत्पन्न में वृद्धि करते रहेंगे। अतः सम्झौते के आधार पर अधिनिर्णय अन्तिम रूप से पारित कर दिया जावे।

चूंकि पक्षकारों के मध्य लाम्बित रेगुलेशन विवाद में लोक अपीलत की भावना से प्रेरित होकर उक्त प्रकृष्ट से आसानी से सम्झौता अधिविषय रूप में सम्पन्न हो गया है और सम्झौते के उपरान्त उक्त पक्षकारों के मध्य किसी प्रकार का कोई विवाद शेष नहीं रहा है, अतः सभी विवाद समाप्त हो गये हैं, अतः प्रस्तुतशुदा सम्झौते के आधार पर सम्प्रेषित रेगुलेशन विवाद को इसी प्रकार अधिनिर्णय कर उत्तरित किया जात है।

कोको. गुप्त, न्यायाधीश

नई दिल्ली, 4 अप्रैल, 2007

क्र.आ. 1329, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, कोको. सरकार द्वारा पेट्रोलियम लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में कोको. सरकार औद्योगिक अधिकरण/क्रम न्यायालय जमरलपुर के पंचाट (संदर्भ संख्या एलसी/आर/195/96) को प्रकाशित कराया है, जो कोको. सरकार को 4-4-07 को प्राप्त हुआ था।

[सं. एल-20040/57/93-आई आर (सी-1)]

स्नेह लता जास, टेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1219.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the Award (Ref. No. LC/R/195/96) of the Central Government Industrial Tribunal/Labour Court Jabalpur now as shown in the Annexure, in the Industrial Dispute between the management in relation to the Management of Bharat Petroleum Corporation Ltd., and their workman which was received by the Central Government on 4-4-07.

[No. L-2004/57/93-IR(C-1)]

SNEH LATA JAIN, Desk Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL -CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/195/96

Presiding Officer : Shri C.M. SINGH

Shri Ramesh N. Khotkar,
M.P. Co-ordinating Secretary,
Petroleum Employees Union,
Bhitoni, LPG Plant,
Jabalpur

... Workmen/Union

Versus

General Manager (Personnel),
Bharat Petroleum Corporation Ltd.,
Udyog Bhawan, Basement,
Walchand Hirachand Marg,
Bailard Estate,
Mumbai

... Management

AWARD

Passed on this 13th day of March, 2007

1. The Government of India, Ministry of Labour vide its Notification No. L-20040/57/95-Coal 1 (1-R) dated 14-10-96 has referred the following dispute for adjudication by this tribunal :—

“Whether the demand by the Union that the action of the management of Bharat Petroleum Corporation Ltd. in transferring Shri Rohini Prasad Dahayat and Shri Gopal Prasad Parmar from Bhitoni to Nagpur amounts to unfair labour practice is legal and justified? If so, to what relief are these workmen entitled?”

2. After the reference order was received, it was duly registered on 28-10-96 and notices were issued to both the parties to file their respective statements of claim. In spite of sufficient service of notice, no one put in appearance on behalf of workmen and the workmen failed to file their Written Statement. Therefore vide order dated 4-3-05 of this tribunal, the reference proceeded *ex parte* against the workmen.

3. The management filed their W.S. Their case in brief is as follows. The management Bharat Petroleum Corporation Ltd. is engaged in supply and distribution of Petroleum products from small and large storage points located all over India. Bhitoni POL Depot is one such storage and distribution point. The distribution/supply of petroleum products is done from such depots either from company owned tank lorry, where the management employs one driver and one cleaner to operate the tank lorry or directly through private traders who uplift the product from the depot by engaging transporters or through railways. At all depots of the management any one of a combination of the above modes of distribution/supply is followed. As far as deployment of Company tank lorry for the above job is concerned, the corporation undertakes a regular review

of the economic viability of operating the company tank lorry. The indices used for deciding on the economic viability and the tank lorry performance are KLs delivered by the tank lorry, cost-benefit analysis, cost per KL etc. At Bhitoni POL Depot it was observed that the performance of the tank lorry showed a drastic decline in terms of the KLs delivered to the Retail Outlets. The other parameters/indices indicating that the tank lorry at Bhitoni is no longer economically viable. Since at Bhitoni POL Depot an alternative source for directly delivering the product through transporters was available. It was decided to shift the tank lorry out of Bhitoni POL Depot. On shifting the Company tank lorry, the services of workmen Shri Rohini Prasad Dahayat and Shri Gopal Parmar could no more be utilized. As it was not the intention of the company to dispense with their services, an alternative source was made available to them. They were transferred to Nagpur and assigned to the mobile lab van introduced there. Workmen Shri Rohini Prasad Dahayat and Shri Gopal Parmar are working with the Corporation from 27-1-81 and 21-7-80 respectively and were posted at Bhitoni POL Depot till 30th June 1993 and thereafter transferred to Nagpur divisional office from 1st July 1993. The terms and conditions of the service of Shri Rohini Prasad Dahayat and Shri Gopal Parmar clearly stipulate that they are liable for transfer. Moreover, in the “Application for Employment Form” Shri Rohini Prasad Dahayat and Shri Gopal Parmar have answered in the affirmative to the question “Are you prepared to reside and travel anywhere in India?” Workmen Shri Rohini Prasad Dahayat and Shri Gopal Parmar contend that their transfer from Bhitoni POL Depot to Nagpur Division was an act of victimization due to their active involvement in Union activities for redressal of grievances of various employees with the management especially the transfer of the Depot from Indira Market, Jabalpur to Bhitoni. The above contention is denied by the management as the transfer of the depot as mentioned by Shri Rohini Prasad Dahayat and Shri Gopal Parmar is a settled issue by a settlement signed before the Assistant Labour Commissioner (Central), Jabalpur on 22-7-92 and all the employees affected by this transfer were paid a one time monetary compensation for the sudden destruction arising out of the resitment of the Depot. As the terms and conditions of service of workmen employed in BPCL specifically provide for transfer of workmen for reasons such as exigencies of work. It is prayed by the management that the tribunal be pleased to hold that the action of the management of Bharat Petroleum Corporation Ltd. in transferring Shri Rohini Prasad Dahayat and Shri Gopal Prasad Parmar from Bhitoni to Nagpur amounts to unfair labour practice is legal and proper.

4. The management in order to prove their case filed affidavit of Shri Santosh Nivendkar, then working as Territory Manager (Retail) in Bharat Petroleum Corporation posted at Jabalpur.

5. I have heard Shri A. K. Shashi, Advocate the learned counsel for the management. I have very carefully gone through the entire evidence on record.

6. The case of the management is fully established and proved from the uncontroverted affidavit of management's witness Shri Santosh Nivendkar. Against it, there is no evidence of the workmen as the case proceeded *ex parte* against them.

7. In view of the above, the reference is liable to be decided in favour of the management and against the workmen. Having considered the facts and circumstances of the case, I am of the view that the parties should be directed to bear their own costs of this reference.

8. The reference is decided in favour of the management and against the workmen and it is hereby held that the action of the management of Bharat Petroleum Corporation Ltd. in transferring Shri Rohini Prasad Dahayat and Shri Gopal Prasad Parmar from Bhitoni to Nagpur is legal and justified and the demand of the Union mentioned in the schedule of the reference order is not justified and legal. Consequently, both the workmen named above are not entitled to any relief. The parties shall bear their own costs of this reference.

9. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

का.अ. 1230.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधन के संबंध निरोधकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 79/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-07 को प्राप्त हुआ था।

[सं. एल-42012/175/2005-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1230.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 79/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the management of Bhakra Beas Management Board, and their workmen, received by the Central Government on 04-04-2007.

[No. L-42012/175/2005-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT NO. 2, RAJENDRA NAGAR, GROUND FLOOR, RAJENDRA PLACE, NEW DELHI

IAL NO. 79/2006

Presiding Officer: (R. N. RAI)

In the matter of:

Smt. Binu Devi
Vs. Shri Gopal Prasad Parmar
Vill. Pura Nagar
Bhiwari.

The Superintendent Engineer, (I)

Bhakra Beas Management Board,
Panipat (Haryana)

AWARD

The Ministry of Labour by its letter No. L-42012/175/2005-IR (CM-II) Central Government dated 28-03-2007 has referred the following point for adjudication.

The point runs as hereunder:—

"Whether the action of the management of Bhakra Beas Management Board, in transferring the services of their ex-worker Smt. Binu Devi on 09-04-2004 is legal and justified? If not, to what relief she is entitled to."

It transpires from perusal of the industrial dispute reference was received in this Tribunal on 04-04-2006. Notice was sent for filing claim. Registered notice is served on the workman. She has not filed claim. The Presiding Officer has also sent registered letter for filing claim within 15 days. The workman has not filed any claim. She did not turn up. The case was reserved for award on 14-03-2007.

No dispute award is given.

Date: 28-03-2007.

R. N. RAI, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

का.अ. 1231.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी बी एम बी के प्रबंधन के संबंध निरोधकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 80/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-07 को प्राप्त हुआ था।

[सं. एल-42012/176/2005-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1231.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 80/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the management of Bhakra Beas Management Board, and their workmen, received by the Central Government on 04-04-2007.

Government hereby publishes the Award (Ref. No. 80/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial Dispute between the management of Bhakra Beas Management Board, and their workmen, received by the Central Government on 04-04-2007.

[No. L-42012/176/2005-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, RAJENDRA BHAWAN,
GROUND FLOOR, RAJENDRA PLACE,
NEW DELHI**

I.D. No. 80/2006

Presiding Officer : R. N. RAI

In the matter of :

Smt. Shakuntla W/o Shri Har Lal,
Vill. Prem Nagar,
Bhiwani.

Versus

The Superintendent Engineer,
Bhakra Beas Management Board,
Panipat (Haryana)

AWARD

The Ministry of Labour by its letter No. L-42012/176/2005-IR (CM-II) Central Government Dt. 26-09-2006 has referred the following point for adjudication.

The point runs as hereunder :—

"Whether the action of the management of Bhakra Beas Management Board, Panipat in terminating the services of their workman Smt. Shakuntla w.e.f. 01-07-2004 is legal and justified? If not, to what relief she is entitled to."

It transpires from perusal of the order sheet that the reference was received in this Tribunal on 26-09-2006. Notice was sent for filing claim. Registered notice is served on the workman. She has not filed claim. The Desk Officer has also sent registered letter for filing claim within 15 days. The workman has not filed any claim. She did not turn up. The case was reserved for award on 14-03-2007.

No dispute award is given.

Date: 28-03-2007.

R.N. RAI, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1232.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार राजघाट समाधि समिति के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2 नई दिल्ली के पंचाट (संदर्भ संख्या

63/2002 और 42/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-42012/210/2001-आई आर (सी-II),

सं. एल-42012/13/2003-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S.O. 1232.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 63/2002 and 42/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. II, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Rajghat Samadhi Committee and their workman, which was received by the Central Government on 4-4-2007.

[No. L-42012/210/2001-IR (C-II),

No. L-42012/13/2003-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL-CUM-LABOUR
COURT-II, NEW DELHI**

Presiding Officer : R. N. RAI,

I.D. Nos. 63/2002 and 42/2002

In the matter of :—

Shri Aseem Abbas and 2 Ors.,
C/o Jagdish Prasad Sharma,
463, Civil Wing, Tis Hazari Court,
Delhi-110054.

Versus

The Secretary,
Rajghat Samadhi Samiti,
Mahatama Gandhi Marg,
New Delhi-110 002.

AWARD

The Ministry of Labour by its letter Nos. L-42012/210/2001-IR (CM-II) Central Government Dt. 06-08-2002 and L-42012/13/2003-IR (C-II) Central Government Dt. 12-03-2004 has referred the following point for adjudication.

The point runs as hereunder :

I.D. No. 63/2002

"Whether the action of the management of Chairman/ The Secretary, Rajghat Samadhi Committee, Gandhi Marg, New Delhi-110002 regularizing the services of Sh. Manoj Kumar Bhardwaj and Sh. Nanku Shukla, Ex-Security Guards, Stopping them for their services w.e.f. 12-2-2000 without following the prescribed procedure of law is legal and justified? If not, to what relief and benefits they are entitled to?"

LD, No. 42/2004

"Whether the action of the management of Rajghat Samadhi Samiti, New Delhi in terminating the services of Sh. Aseem Abbas, ex-security guard w.e.f. 8-9-2000 is legal and justified? If not, to what relief the workman concerned is entitled to and from which date?"

The applicants have filed claim statement through the Secretary, Delhi Kapra Karamchahi Union. In the claim statement they have stated that they were appointed at the post of Security Guards in September, 1997 at the monthly wages of Rs. 2500.

That the workmen were not given the facilities just as appointment letter, uniform, earned leave and leave on holidays for which they complained to the management. They were not given the facilities of PF and Bonus. Despite several requests the workman were not made permanent.

That the respondents/management was annoyed with the legal demands of the workmen. Their duty was in night shifts for two months so that being harassed they may leave the work.

That they were refused duty in the morning of 08-09-2000 and 12-02-2000 the management did not disclose the reasons for not permitting them to join duty. The respondents/management refused to make payment of arrears of their wages on 15-06-2001.

That the workmen are an-employed. They have been illegally removed. They have not been given statutory benefits.

The respondent/management has filed written statement. In the written statement it has been stated that the present claim is not maintainable and is liable to be rejected, as the claimants are neither a "workmen" nor the management is an "Industry" as per the provisions of the Industrial Disputes Act. For the sake of convenience and procedure, however, the claimant herein is being preferred to as the "workmen".

That the present petition is liable to be dismissed on the ground of misjoinder of parties since Sh. N. Vasudevan is no more the Secretary of the management. The petition is liable to be dismissed in ground alone.

That the jurisdiction of this Court is barred as the management is governed by the CCS (CCA) Rules. Hence this court does not have the jurisdiction to entertain and adjudicate upon the reference, as the Management is an autonomous and statutory body.

That no industrial dispute exists or is likely to arise between the Management and the workman as per the provisions of the Industrial Disputes Act, 1947. Hence the present claim is liable to be rejected.

That no cause of action is disclosed against the management and the claim is liable to be rejected on this ground alone.

That the claimants have not come to this Hon'ble Tribunal with clean hands and are guilty of suppressing the material facts, which they were bound to disclose. Hence the present claim is liable to be rejected on this ground alone.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that the workmen were employed as Security Guards with the management since 1997-98 to 1998-99. It is further denied that the drawn salary of the workmen was Rs. 2500 per month. The contents of the para under reply are also denied as being wrong and incorrect.

It is submitted that the workmen were not in regular and continuous employment of the management since 1997-98. It is submitted that the workmen were engaged and paid on casual basis on daily wages and were being paid minimum wages. It is further submitted that the workmen have completed 240 days of continuous service.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that the management used to assure the workmen that they would talk regarding their demands to the higher authorities. It is submitted that the workmen were engaged occasionally on casual basis on daily wages and were being paid minimum wages. Hence the workmen were not entitled to the benefits being claimed by them in the present petition.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that the workmen Sh. Aseem Abbas, Manoj Kumar, Raju Singh and Nanku Shukla were in continuous and regular employment of the management from September 1997, 17-11-1998 and 10-03-1999 respectively. It is also denied that the management used to threaten the workmen for termination of their service.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that the workmen started demanding appointment letter, uniform, leave, and earned leave, festival leave, P.F. and bonus, attendance etc. It is vehemently denied that the workmen used to demand their regularization. It is also denied that the management used to ignore the demand of the workmen.

It is submitted that the workmen were engaged occasionally on casual basis on daily wages and were being paid minimum wages. Hence the workmen were not entitled to the benefits being claimed by them in the present petition. Therefore, there was no question of the above demands by the workmen.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that the management intentionally assigned the workmen night duty for a continuous period of 2 months in August to harass

the workmen and to make them leave the service on their own. It is submitted that the allegations being made by workmen are false, frivolous and baseless without any substantiation.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that in the morning of 8-9-2000 when the workmen reached to join their duties the management refused to keep them on duty. It is vehemently denied that the management refused to pay them their dues/wages. Rest of the contents of the para under reply is also denied.

The submissions made in the preceding paras may also be read as part and parcel of the present para. It is submitted that the services of the workmen were terminated, as the management no more required the same. It is further submitted that the workman out of their own volition chose not to collect their due wages, if any, with a view to harass and implicate the management in legal proceedings.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that the workmen visited the management a number of times for work but false assurances were given by the management. It is vehemently denied that the management clearly refused to let the workmen join their duties and to pay their dues.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that the workmen sent any demand notice to the management. Even otherwise the workmen do not have any *locus standes* to send demand notice to the management.

That the contents of the para under reply are matter of record. It is, however, submitted that the management did not require the services of the workmen and, therefore, there was no point in conciliation. The management, however, offered the workmen to collect their dues, if any.

That the contents of the para under reply are wrong and denied. It is specifically denied that the workmen are unemployed since the date of the termination of their services.

That the contents of the para under reply are denied as being wrong and incorrect. It is specifically denied that the workmen have been removed from the service by way of punishment because of the demands being made by them. It is again submitted that the workmen were engaged occasionally on casual basis on daily wages and were being paid minimum wages.

The contents of the prayer of the prayer clause of the claimant is highly misconceived, baseless and is liable to be rejected and the claimants/workmen are not entitled to any reinstatement in service as a regular and permanent employee with continuity and full back wages in proper pay scale and allowances and with all consequential benefits thereof either monetary/non-monetary, in cash or kind or any litigation expenses as falsely claimed.

I.D. Nos. 63/2002 and 42/2004 involve common dispute. These are connected cases and they can be adjudicated by common award. The grounds of both the above mentioned cases are the same. So both the above mentioned cases are taken up together. There is only variance in date of engagement and disengagement. The date of engagement of Shri Assem Abbas is September, 1997 and date of termination is 08-09-2000. The date of engagement of Sh. Manoj Kumar Bharwadaj is 17-11-1998 and date of termination is 12-02-2001.

The date of engagement of Sh. Nanku Shukla is 10-03-1999 and date of termination is 12-02-2001.

The workmen applicants have filed rejoinder. In their rejoinder they have reiterated the averments of their claim statement and have denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

From perusal of the pleadings of the parties the following issues arise for adjudication :—

1. Whether the Tribunal/Court has no jurisdiction to decide this case?
2. Whether the workmen have completed 240 days work during their tenure of employment and are entitled to reinstatement?
3. To what amount of back wages the workmen are entitled?
4. Relief if any?

Issue No.1.

It was submitted from the side of the respondent/management that the present claim is not maintainable and is liable to be rejected, as the claimant is neither a "workman" nor the Management an "Industry" as per the provisions of the Industrial Disputes Act.

That the jurisdiction of this Court is barred as the management is governed by the CCS (CCA) Rules. Hence this court does not have the jurisdiction to entertain and adjudicate upon the reference, as the Management is an autonomous and statutory body.

It was further submitted that the workmen were not in regular and continuous employment of the management. The workmen were engaged occasionally on casual basis on daily wages and were being paid minimum wages. The workmen never completed 240 days of continuous service.

It was further submitted that the respondent/management is a body constituted by an Act of the Parliament known as the Rajghat Samadhi Act, 1951, as amended from time to time. As per Section 3 (ii) of the Act the Committee shall be the name of "The Rajghat Samadhi

Committee" be a body corporate and shall have perpetual succession and a common seal and shall be used through its Chairman.

It was further submitted by the respondent/management that the appropriate Government for the dispute is the Government of NCT of Delhi and not the Central Government.

It is own admission of the management that the Rajghat Samadhi has been created by an Act of Parliament, so it has been created by legislature of the Central Government and not by the legislature of the State Government.

Section 2 of the ID Act, 1947 postulates that the Industry which is run under the authority of the Central Government, the Central Government will be the appropriate Government. The Rajghat Samadhi is not run by the Central Government but it is run under the authority of the Central Government by enactment of the Parliament. So it is an instrumentality of the Central Government and the Central Government will only be the appropriate Government. The reference made by the Central Government is competent and this Court has jurisdiction to decide this case in view of the Constitution Bench judgment Steel Authority of India and others.

The respondent/management is a body constituted by an Act of Parliament. It is not constituted by the NCT of Delhi, so the Central Government would be the appropriate Government in all the matters where a body corporate is constituted by an Act of Parliament in view of Steel Authority of India judgment of the Constitution Bench.

My attention was drawn by the respondent/management to Sub-Divisional Inspector of Post, Vaikam Vs. Theyyam Joseph (1996) 8 SCC 489, the Hon'ble Supreme Court observed that India is a sovereign, socialist, secular, democratic, republic has to establish an egalitarian social order under rule of law. The welfare measures partake the character of sovereign function and the traditional duty to maintain law and order is no longer the concept of the State. Directive Principles of State Policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duties of the state is to provide telecommunication service to the general public and an amenity and so is an essential part of the sovereign functions of the State as a Welfare State.

My attention was further drawn to the Hon'ble Supreme Court again in AIR 1997 SC 1855 (Para 10) observed that while applying the traditional test, approved by this court in Bangalore Water Supply to determine what can be regarded as sovereign functions, the change in the concept of sovereign functions of a constitutional Government has to be kept in mind.

It was further submitted that Article 49 of the Constitution of India enjoins upon the State the obligation

to protect every monument or place or object of artistic or historic interest, declared by or under law made by Parliament to be of National importance, from spoliation, disfigurement, destruction, removal, disposal or export, as the case may be.

My attention was further drawn to K.R.M. Estate, Thanjavur Vs. the Additional Labour Court, Madras and Ors. 1 LLJ 1996 155, it was held that the Trust, being administered pursuant to scheme framed by the Court, earning income from the sale of fruits like coconut etc., was an Industry.

It was further submitted that in Executive Engineer (State of Karnataka) Vs. K. Somasetty and Ors., AIR 1997 Supreme Court 2663, the Hon'ble Supreme Court has held that the function of Public Welfare of the State is a sovereign function. It is the constitutional mandate under the Directive Principles; the Government should bring about welfare state by all executive and legislative actions. Under these circumstances the state is not an industry under the Industrial Disputes Act.

The above law cited by the management is not applicable in facts and circumstances of the present case.

It was submitted from the side of the workmen that the judgment of the Constitution Bench (1978) 3 SCR 207 still holds the field so far as definition of 2J of ID is concerned. The Hon'ble Apex Court in that judgment has laid down triple tests and in the light of these tests it is to be ascertained whether the respondent/management is an Industry or not.

It has been held in Bangalore Water Supply that in an Industry there should be systematic activity and it should be organized by cooperation between the employer and the employees and it should be for production and/or distribution of goods and services calculated to satisfy human wants and wishes. It has been held that absence of profit motive or gainful objective is irrelevant. The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer and employee relations. If an organization is not carrying on trade and business, it is not beyond the purview of Industrial activities.

(1978) 3 SCR Bangalore Water Supply case is a Constitution Bench judgment and it is still holding the field in the matter of adjudication of this point.

It has been held in this case that Section 2 (j) of the Industrial Disputes Act, 1947 which defines industry contains words of wide import as wide as the legislature could have possibly made them. The problem of what limitations could and should be reasonably read in interpreting the wide words used in Section 2 (j) is far too policy oriented to be satisfactorily settled by judicial decisions. The Parliament must step in and legislate in a manner which will leave no doubt as to its intention. That alone can afford a satisfactory solution to the question which has agitated and perplexed the judiciary at all levels.

In this judgment the Hon'ble Apex Court has laid down triple test to ascertain whether a particular unit or undertaking is an industry or not. It has been held in this case that where there is systematic activity, organized by cooperation between employer and employee (the direct and substantial element is chimerical) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious, but inclusive of material things or services geared to celestial bliss e.g. making on a large scale prasad or food), the undertaking is an industry.

It has been further held that absence of profit motive or gainful objective is irrelevant to the venture in the public, joint, private or other sector.

The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer-employee relations.

If the organization is a trade or business it does not cease to be one because of philanthropy animating the undertaking.

Although Section 2 (j) uses words of the widest amplitude in its two limbs, their meaning cannot be magnified to over each other.

The Hon'ble Apex Court has laid down further the dominant nature tests. It has been held as follows :—

"Where a complex of activities some of which qualify for exemption, others not involves employees on the total undertaking some of whom are not workmen as in the University of Delhi case or some departments are not productive of goods and services if isolated, even then the predominant nature of the services and the integrated nature of the departments as explained in the Corporation of Nagpur will be the true test. The whole undertaking will be industry although those who are not workmen by definition may not benefit by the status.

Notwithstanding the previous clauses, sovereign functions, strictly understood (alone), qualify for exemption not the welfare activities of economic adventures undertaken by government or statutory bodies.

Even in departments discharging sovereign functions if there are units which are industries and they are substantially severable then they can be considered to come within section 2(j).

The respondent's unit is not engaged in a sovereign function. It has been held in the above case that even arsenal or artillery department is an industry. Industry is decided on the nature of work it is performing.

From perusal of the records it becomes quite evident that the respondent/management is engaged in systematic human activities. The respondents are not discharging duties for gains but gainful objective is irrelevant in deciding whether an undertaking is an industry or not. In case

activities of the respondents are considered in the crucible of the triple tests, respondent is obviously and definitely an industry.

It was submitted from the side of the workman that the Rajghat Samadhi Committee is an Industry within the meaning of Section 2 (j) of the ID Act, 1947.

It was further submitted that the Rajghat Samadhi Committee is the employer of the concerned persons/claimants within the meaning of section 2 (g) of the ID Act, 1947.

From the foregoing it is quite obvious that the management is not engaged in commercial activities. Engagement in commercial activities is not a necessary ingredient of an Industry. It has been held by the Hon'ble Supreme Court that an undertaking not engaged in commercial activities for gains are also Industries as there are systematic activities. The management is carrying on systematic activities for the maintenance and upkeep of the Rajghat Samadhi. It is engaged in systematic activities.

It does not discharge any sovereign functions. It has been held in Bangalore Water Supply that even Arsenal department of Military is an Industry. Thus the management is an Industry. It is run under the authority of the Central Government, so the Central Government is the appropriate government in view of Steel Authority of India's case. This Tribunal has jurisdiction to decide the case of the industrial workers. This issue is decided accordingly.

Issue No.2

The workmen have attached photocopies of Identity Cards. The photocopy is admissible in evidence. The workmen have further filed certificate of the Secretary of Rajghat Samadhi Committee and it has been certified on 25-08-1998 that the workmen have been working for about a year on daily wages basis and they have worked sincerely, honestly and diligently. The workmen have filed papers to show that they have been given duty on different occasions even in 1998, 1999 & 2000. On the visit of high dignitaries and high officials Special Cards have been issued to them for special duties. These documents prove that the workmen have worked in 1998, 1999 and 2000. The workmen have not filed the proof of salary paid to them and they have not filed any copy of attendance register to show that they have worked regularly and continuously.

MW1 has admitted that the records of all the workmen including Chowkidars are maintained. The records of the workmen have not been filed as the same was not asked by the Court. MW1 has further admitted that there are 25 posts of Chowkidars and he could not say without going through the records that how many Chowkidars were posted at that time. MW1 has further admitted that he has not filed any proof of record showing that as to when any permanent employee i.e. Chowkidar remained on leave and the management took the services of these workmen, in lieu of that Chowkidar.

It was submitted by the management that the workmen were engaged on leave vacancies in stop gap arrangement. It was necessary for the management to give particulars of Chowkidars who proceeded on leave and against which Chowkidar these workmen have been engaged. In case the management takes the case that the workmen were engaged for stop gap arrangement when some Chowkidar proceeded on leave, the burden is on the management to file the record to show that the workmen have been engaged on leave vacancies. No such record has been filed, so the management has failed to prove that these workmen have been engaged against leave vacancies.

MW1 has further admitted that attendance register and salary register of the workmen of the Samadhi is maintained and he has further stated that he can produce the attendance register w.e.f. December, 1997 to December, 2000 but the same has not been filed on the record. The management cannot escape by saying that records are not summoned by the Court. The management has taken the plea that these workmen are casual workers and they were employed against leave vacancies. It becomes the duty of the management to discharge this burden by filing relevant records regarding the engagement of these workmen. The management should have done so by filing the salary register and attendance register for the period of alleged engagement of these workmen. In case there is salary register and attendance register, non-filing of the same will amount to concealment of facts before the Court.

It is settled law that every party is required to establish the plea taken by it. The management has taken the plea that the workmen were engaged for stop gap arrangement. MW1 has further admitted that the committee has hired the services of Private Security Agency to fill the stop gap arrangement. It has been asserted in the affidavit but no papers regarding engagement of any Security Agency has been filed.

It transpires from perusal of the statement of MW1 that he has tried to evade the questions and relevant documents have not been filed deliberately. The workmen have filed Identity Cards of 1998, 1999 and 2000 and they have filed Special Cards given to them on the visit of Prime Minister and other dignitaries as Special identity Cards. To belie the case of the workmen and to establish that they have been taken for stop gap arrangement, it was necessary for the management to file the records regarding salary and attendance register. The workmen cannot be said to be in possession of the said documents. If one takes the plea of engagement of a workman in leave vacancy for stop gap arrangement, it is his duty to prove it by filing the relevant salary and attendance register. The management has concealed the records, so it shall be presumed that the workmen have worked regularly during their period of employment. Thus, it is held that the workmen have worked

for 240 days in each year during the period of their employment.

My attention was drawn by the Ld. Counsel of the workmen to 2000 LLR 523 State of UP and Rajender Singh. The Hon'ble Apex Court ordered for reinstatement with full back wages as the services of the daily wage cleaner who worked for 4 years was dispensed with without following the procedure for retrenchment. In the instant case also no retrenchment compensation has been paid. This case law squarely covers the instant case.

It has been held in 1978 Lab IC 1668 that in case service of a workman is terminated illegally the normal rule is to reinstate him with full back wages.

My attention was further drawn to AIR 2002 SC 1313. The Hon'ble Supreme Court has held that daily wage even if serving for a short period should be reinstated.

It was submitted from the side of the workmen that in the instant case section 25 F, G of the ID Act is attracted. In section 25 of the ID Act it has been provided that if a workman has performed 240 days work and if the work is of continuous and regular nature he should be given pay in lieu of notice and retrenchment compensation.

It has been held by the Hon'ble Apex Court that there is no cessation of service in case provisions of section 25 F are not complied with. In the instant case no compensation has been paid to the workmen who have continuously worked for more than 240 days at least in two years.

In case a workman has worked for 8 years and the work is of continuous and regular nature he should be paid retrenchment compensation. In case retrenchment compensation is not paid section 25 F of the ID Act is attracted. There is no cessation of his services. He is deemed continued in service in the eye of law. In case there is breach of section 25 F the service is continued and reinstatement follows as a natural consequence.

ID Act, 1947 has been enacted to safeguard the interest of the workmen belonging to poor segment of society. It appears that legislature wanted that such workmen should not be harassed unnecessarily so section 25 F, U, T and Clause 10 of Vth Schedule have been enacted. The objects and reasons of ID Act, 1947 show that the respondent management should not be permitted to indulge in any unfair labour practice. The workman should not be engaged for years and then he should be removed all of a sudden. There is provision of retrenchment compensation for his removal. Retrenchment compensation is for compensating him otherwise so that he can survive long interregnum of unemployment. In the instant case no retrenchment compensation has been paid.

It was submitted from the side of the management that the Hon'ble Apex Court in 2006 (4) Scale has put down a complete ban on regularization and reinstatement. The

Hon'ble Apex Court has held that employment can only be made on the basis of procedure established in that behalf envisaged by the Constitution. Equality of opportunity is the hallmark and the Constitution enshrines affirmative action to ensure that unequals are not treated equals. So public employment should be in terms of constitutional scheme.

It was further submitted that the Constitution Bench Judgment has afforded a right according to which the government is not precluded from making temporary appointments or engaging workers on daily wages.

The Hon'ble Apex Court has not declared the provision of ID Act un-constitutional. The Government has got no license to make always appointment of daily wagers and to continue them for life time. Fixed term tenure appointments and temporary appointments cannot be the rule of public employment. At the time of making temporary appointments Articles 14, 16, 21, 23, 226 & 309 are infringed. There is no constitutional mandate that the government is at liberty to go on giving fixed term appointments for the entire tenure of service of an employee against the provisions of the ID Act, 1947.

No such Article of the Constitution has been pointed out under which the Government or Public Sector units can continue incessantly to give temporary and fixed term appointments again and again. Since fixed term appointments and temporary appointments are not governed by any constitutional scheme, such discrimination will amount to vicious discretion. The Government of Public Sector unit will go on resorting to the method pick and choose policy and give temporary and adhoc appointments to their favorites and thus the principles of equality enshrined in the constitution will be given a go bye. Such is not the intent of the Hon'ble Apex Court. However, in this judgment the provision of the ID Act governing the services of the workman have not been declared un-constitutional. Reinstatement is the remedy provided in the ID Act for breach of several provisions enumerated therein or for breach of service rules provided in various labour welfare legislations.

Section 11 A of the ID Act stipulates that in case the Tribunal is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstance of the case may require. According to this benign provision this Tribunal has the authority to set aside the order of discharge or dismissal and reinstate the workman on the terms and conditions as it thinks fit.

A three Judges bench of the Hon'ble Apex Court has held in 1993-II-LLJ that termination of services affects

the livelihood of not only of the employee but also of the dependents. So in case of illegal termination of service the workman should be reinstated.

Reinstatement should not be misconceived as regularization. By the order of reinstatement the status quo ante of the workman is restored. He is given back wages in order to compensate him for his illegal dis-engagement. This is a special remedy provided in the ID Act and it has not been annulled and set aside by any judgment of the Hon'ble Apex Court. The provisions of the ID Act are still constitutional and they are to be given effect to.

It was submitted from the side of the management that reinstatement is not the only remedy. In such cases the workman may be given compensation. Section 11 A of the ID Act, 1947 provides that in case of dismissal or discharge is found illegal reinstatement should be ordered. It has been held in a catena of cases by the Hon'ble Apex Court that reinstatement with full back wages is the normal rule. The statute provides for reinstatement. In certain exceptional cases where the undertaking has been closed down or it has become sick there may be order for payment of compensation.

In such cases the workmen are reinstated with back wages and the respondents have every right, after payment of back wages and reinstatement, to retrench them validly following the principles of first come last go so that section 25, G & H of the ID Act are not violated. This issue is decided accordingly.

Issue No. 3

It was submitted by the management that payment of full back wages is not the natural consequence of the order of discharge or dismissal being set aside. It has been held in (2003) 6 SCC 141 that it is incumbent upon the labour court to decide the quantum of back wages.

It has been further held in this case that payment of back wages having discretionary element involved it is to be dealt with the facts and circumstances of the case. No definite formula can be evolved.

It has been further held in this case that payment of back wages in its entirety is the statutory sanction. In (2003) 4 SCC 27 the Hon'ble Apex Court held that in view of delay in raising the dispute and initiating the proceedings back wages need not be allowed. In the instant case there is no delay at least on the part of the workman in raising the dispute.

In 2004 VIII AD SC 444 the Hon'ble Apex Court upheld the order of reinstatement with 25% back wages.

In 1978 Lab IC 1968 - three Judges Bench of the Hon'ble Apex Court held that payment of full back wages is the normal rule. In case services have been illegally terminated either by dismissal or discharge or retrenchment, in such circumstance the workman is entitled to full back wages except to the extent he was gainfully employed

during the enforced idleness. In the instant case the workman was always ready to work but he was not permitted on account of invalid act of the employer.

In AIR 2002 SC 1313 the Hon'ble Apex Court reduced the back wages to 25%.

In 2005 IV AD SC 39 - three Judges Bench of the Hon'ble Apex Court held that reinstatement with full back wages is justified. In this case the workman has performed more than 240 days work and he has been retrenched without payment of compensation and pay in lieu of notice.

The workmen have rendered services for 3 years. They have performed 240 days work at least in two years. In view of the tenure of their services they are entitled to 25% back wages only. This issue is decided accordingly.

Issue No. 4

From the issues decided above it becomes quite apparent that the workmen deserve reinstatement with 25% back wages. This issue is decided accordingly.

The reference is replied thus :—

The action of the management of Chairman/The Secretary, Rajghat Samadhi Committee, Gandhi Marg, New Delhi-110 002 in not regularizing the services of Sh. Manoj Kumar Bhardwaj and Sh. Nanku Shukla, Ex-Security Guards, Stopping them for their services w.e.f. 12-2-2000 without following the prescribed procedure of law is neither legal nor justified. The respondent/management should reinstate the workmen w.e.f. 12-02-2000 along with 25% back wages within two months from the date of the publication of the award.

The action of the management of Rajghat Samadhi Samiti, New Delhi in terminating the services of Sh. Aseem Abbas, ex-security guard w. e. f. 8-9-2000 is neither legal nor justified. The respondent/management should reinstate the workman w. e. f. 08.09.2000 along with 25% back wages within two months from the date of the publication of the award.

The award is given accordingly.

Date: 29-03-2007.

R. N. RAI, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

क्र.अ. 1233.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार राष्ट्रीय कमिश्नर और फर्टिलाइजर लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 मुंबई के पंचाट (संदर्भ संख्या 38/06, 39/06, 40/06 और 41/06) को प्रकाशित करती है, जो केन्द्रीय सरकार की 4-4-2007 को प्राप्त हुआ था।

[सं. एल-42012/5/2005-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S.O. 1233.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 38/2006, 39/2006, 40/2006 & 41/2006) of the Central Government Industrial Tribunal cum Labour Court No. 1, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Rashtriya Chemicals and Fertilizers Limited and their workmen, which was received by the Central Government on 4-4-2007.

[No. L-42012/5/2005-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

Present

JUSTICE GHANSHYAM DASS,
Presiding Officer

REFERENCE NO. CGIT-38 OF 2006

Parties: Employers in relation to the management of
Rashtriya Chemicals and Fertilizers Ltd.

And

Their workmen.

Appearances:

For the Management : Mr. V. Choudhary,

For the Union : Absent.

State : Maharashtra

Mumbai, dated the 13th day of March, 2007

AWARD

1 This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 of Section 10 of the Industrial Disputes Act 1947 (the Act for short) vide Government of India, Ministry of Labour, New Delhi Order No. L-42012/5/2005-IR(C-II) dated 15-11-2006. The terms of reference given in the schedule are as follows:

- (i) "Whether the contract between the contractor and Rashtriya Chemicals and Fertilizers Limited, Mumbai is sham and bogus and is a camouflage to deprive the workmen whose names are enlisted at Exhibit "A" from the benefits available to permanent workers of the Rashtriya Chemicals and Fertilizers Limited?"
- (ii) "Whether the workmen whose names are enlisted at Exhibit "A" should be declared as permanent workers and wages and consequential benefits to be paid to concerned workers?"

2. The matter came up for hearing today. The registered notice issued to the General Secretary, Mumbai Shramik Sangh, Sangarsh, Quarry Road, Bhandup (W) Mumbai-400078 is served upon it vide registered acknowledgement kept on the record of the file of CGIT-38 of 2006; but none has appeared either to file the statement of claim or to make any request for time to file the same. It appears that the Mumbai Shramik Sangh is not interested in pursuing with the instant reference. Hence, the only option available to the Tribunal is to dismiss the reference for non-prosecution.

3. The reference is accordingly dismissed for non-prosecution.

4. An Award is made accordingly.

JUSTICE GHANSHYAM DASS, Presiding Officer

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, MUMBAI**

Present

JUSTICE GHANSHYAM DASS,
Presiding Officer

REFERENCE NO. CGIT-39 OF 2006

Parties : Employers in relation to the management of
Rashtriya Chemicals and Fertilizers Ltd.

And

Their workmen.

Appearances :

For the Management : Mr. V. Choudhary,

For the Union : Absent.

State : Maharashtra

Mumbai, dated the 13th day of March, 2007

AWARD

1 This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 of Section 10 of the Industrial Disputes Act 1947 (the Act for short) vide Government of India, Ministry of Labour, New Delhi Order No. L-42012/5/2005-IR(C-II) dated 15-11-2006. The terms of reference given in the schedule are as follows :

- (i) Whether the contract between the contractor and Rashtriya Chemicals and Fertilizers Limited, Mumbai is sham and bogus and is a camouflage to deprive the workmen whose names are enlisted at Exhibit "A" from the benefits available to permanent workers of the Rashtriya Chemicals and Fertilizers Limited?"
- (ii) "Whether the workmen whose names are enlisted at Exhibit "A" should be declared as permanent workers and wages and conse-

quential benefits to be paid to concerned workers?"

2. The matter came up for hearing today. The registered notice issued to the General Secretary, Mumbai Shramik Sangh, Sangarsh, Quarry Road, Bhandup (W) Mumbai-400078 is served upon it vide registered acknowledgement kept on the record of the file of CGIT-38 of 2006; but none has appeared either to file the statement of claim or to make any request for time to file the same. It appears that the Mumbai Shramik Sangh is not interested in pursuing with the instant reference. Hence, the only option available to the Tribunal is to dismiss the reference for non-prosecution.

3. The reference is accordingly dismissed for non-prosecution.

4. An Award is made accordingly.

JUSTICE GHANSHYAM DASS, Presiding Officer

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, MUMBAI**

Present

JUSTICE GHANSHYAM DASS,
Presiding Officer

REFERENCE NO. CGIT-40 OF 2006

Parties : Employers in relation to the management of
Rashtriya Chemicals and Fertilizers Ltd.

And

Their workmen.

Appearances :

For the Management : Mr. V. Choudhary,

For the Union : Absent.

State : Maharashtra

Mumbai, dated the 13th day of March, 2007

AWARD

1 This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 of Section 10 of the Industrial Disputes Act 1947 (the Act for short) vide Government of India, Ministry of Labour, New Delhi Order No. L-42012/5/2005-IR(C-II) dated 15-11-2006. The terms of reference given in the schedule are as follows :

- (i) Whether the contract between the contractor and Rashtriya Chemicals and Fertilizers Limited, Mumbai is sham and bogus and is a camouflage to deprive the workmen whose names are enlisted at Exhibit "A" from the benefits available to permanent workers of the Rashtriya Chemicals and Fertilizers Limited?"
- (ii) "Whether the workmen whose names are enlisted at Exhibit "A" should be declared as

permanent workers and wages and consequential benefits to be paid to concerned workers?"

2. The matter came up for hearing today. The registered notice issued to the General Secretary, Mumbai Shramik Sangh, Sangarsh, Quarry Road, Bhandup (W) Mumbai-400078 is served upon it vide registered acknowledgement kept on the record of the file of CGIT-38 of 2006; but none has appeared either to file the statement of claim or to make any request for time to file the same. It appears that the Mumbai Shramik Sangh is not interested in pursuing with the instant reference. Hence, the only option available to the Tribunal is to dismiss the reference for non-prosecution.

3. The reference is accordingly dismissed for non-prosecution.

4. An Award is made accordingly.

JUSTICE GHANSHYAM DASS, Presiding Officer
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

Present

JUSTICE GHANSHYAM DASS,
Presiding Officer

REFERENCE NO. CGIT-41 OF 2006

Parties : Employers in relation to the management of
Rashtriya Chemicals and Fertilizers Ltd.

And

Their workmen.

Appearances :

For the Management : Mr. V. Choudhary,

For the Union : Absent.

State : Maharashtra

Mumbai, dated the 13th day of March, 2007

AWARD

1 This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 of Section 10 of the Industrial Disputes Act 1947 (the Act for short) vide Government of India, Ministry of Labour, New Delhi Order No. L-42012/5/2005-IR(C-II) dated 15-11-2006. The terms of reference given in the schedule are as follows :

- (i) Whether the contract between the contractor and Rashtriya Chemicals and Fertilizers Limited. Mumbai is sham and bogus and is a camouflage to deprive the workmen whose names are enlisted at Exhibit "A" from the benefits available to permanent workers of the Rashtriya Chemicals and Fertilizers Limited?"

- (ii) "Whether the workmen whose names are enlisted at Exhibit "A" should be declared as permanent workers and wages and consequential benefits to be paid to concerned workers?"

2. The matter came up for hearing today. The registered notice issued to the General Secretary, Mumbai Shramik Sangh, Sangarsh, Quarry Road, Bhandup (W) Mumbai-400078 is served upon it vide registered acknowledgement kept on the record of the file of CGIT-38 of 2006; but none has appeared either to file the statement of claim or to make any request for time to file the same. It appears that the Mumbai Shramik Sangh is not interested in pursuing with the instant reference. Hence, the only option available to the Tribunal is to dismiss the reference for non-prosecution.

3. The reference is accordingly dismissed for non-prosecution.

4. An Award is made accordingly.

JUSTICE GHANSHYAM DASS, Presiding Officer
नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1234.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर्कैलॉजिकल सर्वे ऑफ इण्डिया के प्रबंधन के संबद्ध निरीक्षकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 103/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-42012/42/2003-आई.आर. (सीएम-II)]

अजय कुमार गौर, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S.O. 1234.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 103/2003) of the Central Government Industrial Tribunal-cum-Labour Court No. 2 New Delhi as shown in the Annexure in the Industrial Dispute between the management of Archaeological Survey of India, and their workmen, received by the Central Government on 4-4-2007.

[No. L-42012/42/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER : CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM
LABOUR COURT-II, RAJENDRA BHAWAN,
GROUND FLOOR, RAJENDRA PLACE,
NEW DELHI

Presiding Officer : R. N. Rai,

LD No. 103/2003

In the matter of :

Shri Suresh Kumar Sharma,
S/o Shri Lakshman,
C/o Delhi Labour Union,
Aggarwal Bhawan,
G.T. Karnal Road, Tis Hazari, Delhi -110 054.

VERSUS

The Superintending (Delhi Circle),
Archaeological Survey of India,
Safdarjung Tomb,
New Delhi.

AWARD

The Ministry of Labour by its letter No. L-42012/42/2003-IR(CM-II) Central Government Dt.10-7-2003 has referred the following point for adjudication.

The point runs as hereunder:

“Whether the action of the management of Archaeological Survey of India, New Delhi in relation to terminating the services of Shri Suresh Kumar Sharma, Ex-Beldar/Carpenter w.e.f. 1-11-1998 and non-payment of his salary for the period from June 1998 is legal and justified? If not, to what relief the workman is entitled and from which date?”

The workman applicant has filed claim statement. In the claim statement it has been stated that the workman Shri Suresh Kumar Sharma joined into the employment of Archeological Survey of India w.e.f. 14-11-1995 and worked continuously up to 31-10-1998 as a Carpenter. The workman was being paid wages Rs. 1937 per month. He has unblemished and uninterrupted record of service to his credit.

That the services of the workman have been terminated by the management by disallowing him duties w.e.f. 1-11-1998 without assigning any valid reason thereof.

That the management has also not paid 3 months salary to the workman for the period from June, 1998 to August, 1998.

That after termination of services, the workman also appealed to the Management and requested that he should be absorbed on the vacant posts of Carpenter lying with the Management but his appeal was not considered by the Management, rather the Management has taken fresh hands into the employment after terminating the services of the workman.

That the termination of services of the aforesaid workman is wholly illegal, bad, unjust and mala fide for the following amongst other reasons:

That the job against which the workman aforesaid was working is of a regular and permanent nature of job, which is still continuing with the management.

That the action of the management amounts to sheer exploitation of labour.

That the action of the management is violative of Article 21 of the Constitution of India.

That in case of retrenchment, no seniority list was displayed, no notice was given, no notice pay was either offered or paid and no service compensation was either offered or paid to the workman.

That after the termination of services of workman, the Management has engaged fresh hands in its employment.

That the workman has been meted out with hostile discrimination as juniors to him have been retained in service and he has been thrown out of job.

That the workman aforesaid has not committed any misconduct whatsoever. However, in case of any alleged misconduct, no memo or charge sheet was served upon the workman, no domestic inquiry was conducted against the workman and he was not afforded any opportunity of being heard.

That the impugned termination of services is violative of Section 30 of the Delhi Shop & Establishment Act, 1954.

That even otherwise, the impugned termination of services is violative of Section 25-F, G & H of the Industrial Disputed Act, 1947 read with Rules 76, 77 and 78 of the Industrial Disputes (Central) Rules, 1957.

That the non-payment of earned wages is violative of the provisions of the Minimum Wages Act and the payment of Wages Act despite being a criminal offence.

That the workman aforesaid is unemployed from the date his services have been terminated despite his best efforts.

That a demand notice was served upon the management by Registered AID post vide communication-dated 12-6-2001, duly received in his office, but no reply was received and it was presumed that the demand has been rejected. Thereafter, a Statement of Claim was filed before the Conciliation Officer (Central) Govt. of India. The conciliation proceedings were initiated but the same resulted in failure because of the adamant and non-cooperative attitude of the management. Hence this reference.

The Management has filed written statement. In the written statement it has been stated that the Archaeological Survey of India is a Central Government Department under the Ministry of Tourism & Culture, Government of India and has been declared as Scientific and Technological Institution by the Government of India vide notification No. A-36016/2/89-Estt. Dated 27.10.1989 published in the Gazette of India. The Archaeological Survey of India is discharging its duties for the preservation and conservation of ancient and historical monuments and archaeological site and remains which are declared to be of national importance under AM & ASR Act, 1958. Besides regulation of the Ancient Monument and Archaeological Sites and

Remains Act, 1958, Rules 1959, the Antiquities and Art Treasure Act, 1972, Rules 1973 etc.

That the Archaeological Survey of India is neither an Industry nor Industrial establishment nor industrial undertaking so as to attract the provisions of ID Act as ASI is performing sovereign functions of the State as enshrined in the Constitution of India in looking after the centrally protected monuments of national importance spread over throughout the length and breadth of the country (Copy of judgment from Hon'ble CGIT and Labour Court, Jaipur enclosed Annexure-I) As such the provisions of Industrial Disputes Act shall not apply to the employees or the daily wages casuals engaged on Muster Roll by the Archaeological Survey of India.

That the Delhi circle of the Archaeological Survey of India has got more than 160 monuments spread all over the National Capital Territory of Delhi. These monuments include forts, mosques, tombs, pillars, hauzes, wells, walls, remains, rock inscriptions, cemeteries, gardens, etc. ASI scientifically preserves and conserves these monuments with the help of sanctioned establishment. The sanctioned staff/personnel are governed by the CCS regulations and instructions issued by the Department of Personal and Training. The said staff is classified as non-industrial posts. Besides the regular establishment, the Archaeological Survey of India also engages daily waged casual labourers on need basis periodically for removal of vegetational growth, conservation, special repairs, environmental development, etc. Which are purely of casual/temporary nature and carried out for short duration. The said casual labourers belong to trades like beldar, bandhani, stone-cutter, mason, etc. for doing periodical works at the monuments and for archaeological excavations. The period of such work usually ranges from 3/4 weeks to 10/11 weeks depending upon the quantum of work. The wages to such daily waged casual labourers are paid in accordance with the provisions of the Minimum Wages Act.

That the contents of para 1 are wrong and denied. It is submitted that Shri Suresh Kumar Sharma was not engaged in 1995. He was engaged on muster roll for sporadic nature of work as and when required bases as Beldar. He was never engaged as a carpenter as alleged.

That the contents of para 2 are wrong and denied. It is submitted that the Archaeological Survey of India has never issued any termination notice in this regard.

It is submitted that his due payments will be made in short time. Necessary steps have been taken for early payment.

That the contents of para 4 are totally wrong and denied that the Archaeological Survey of India, Delhi Circle has not filed any carpenter's post. It is mentioned Delhi Circle has no vacancy for the post of carpenter at the juncture.

That there has been no retrenchment as such Shri Suresh Kumar was neither sponsored through employment exchange nor was he working against any permanent nature of job, as such the question of any retrenchment does not arise (copy of Judgment from Hon'ble Supreme Court Case (L&S) 1079/1997 Annexure-II).

Archaeological Survey of India has not engaged any fresh casual labour junior to him as alleged.

That the Archaeological Survey of India is neither an industry nor shop so as to attract the Shops & Establishment Act, 1954 (Annexure-I).

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record. From pleadings of the parties the following issues arise for determination:

1. Whether the workman has performed 240 days work during his period of employment from 14-11-1995 till 31-10-1998?
2. Whether the management is not industry?
3. Whether the workman is entitled to reinstatement?
4. What amount of back wages the workman is entitled to?
5. Relief if any?

Issue No. 1

It was submitted from the side of the workman that the workman Shri Suresh Kumar Sharma joined into the employment of Archaeological Survey of India w.e.f. 14-11-1995 and worked continuously up to 31-10-1998 as a Carpenter. The workman was being paid wages Rs. 1937 per month. He has unblemished and uninterrupted record of service of his credit.

It was further submitted that the services of the workman have been terminated by the management by disallowing him duties w.e.f. 1-11-1998 without assigning any valid reason thereof.

That the termination of services of the aforesaid workman is wholly illegal, bad, unjust and mala fide.

The job against which the workman aforesaid was working is of a regular and permanent nature of job, which is still continuing with the management.

The workman has annexed documents with the records. B-13 is the chart of working days, the workman has performed. This is photocopy but it has not been denied. It has been specifically mentioned in this document that the workman has worked for 206 days in the year 1997

and 207 days in the year 1998. From perusal of this chart, it further transpires that only the actual working days have been calculated. Sundays and holidays have not been accounted for. The workman worked almost 25 to 26 days per month in the year 1997. The same is the ratio of working days in the year 1998. This document establishes that during 8 months the workman has performed 206 and 207 days work. The detail of the working days of 1996 has not been given.

It was submitted from the side of the workman that the management has explicitly admitted in B-13 that the workman has worked for 206 days in 1997 and 207 days in 1998. These are the certificates given by the Officer of the management. Thus, it stands admitted to the management that the workman worked for 206 days in 1997 and 207 days in 1998.

It is settled law that Sundays and holidays are to be included while calculating the date of working of a workman. In case Sundays and holidays are included almost in all the years the workman has worked for more than 240 days. So the workman has worked for 4 continuous years and for 240 days in all the years.

In case Sundays and holidays are included the workman has performed more than 240 days work as per the own admission of the management.

It was further submitted from the side of the workman that B-16 is the certificate issued by Sr. Conservative Assistant of the management. This certificate has not been denied by the management though it is photocopy. The Sr. Conservative Assistant has specifically certified that the workman has worked as Carpenter in Red Fort, Sub-Circle w.e.f. 14-11-1995 to 31-1-1998.

The management has issued certificate that the workman was working as a Daily Wager Carpenter, Red Fort, Sub-Circle w.e.f. 14-11-1995 to 31-01-1998. This certificate establishes the fact that the workman has been working continuously and regularly. MW1 has not repudiated the authenticity of the certificate, paper No. B-16. This certificate amply proves that the workman worked continuously and regularly for the periods of his employment.

The management has nowhere denied in the written statement that the workman has not worked for 240 days. It has only been stated that the workman was engaged on sporadic nature of work. There is no specific denial of the workman not having worked for 240 days in any of the paras of the written statement. Thus, the management has indirectly admitted that the workman has worked for 240 days.

I have perused the written statement. It has nowhere been specifically denied that the workman has not performed 240 days work during his period of employment. The workman has specifically stated in Para - 1 that he has worked continuously from 14-11-1995 to 31-10-1998. In Para - 1 of the written statement it has only been mentioned that the workman was not engaged in 1995. It has been

mentioned only that the workman was engaged on muster roll for sporadic nature of work as and when required basis as Beldar. He was never engaged as a Carpenter as alleged.

In reply to Para-1 of the claim statement the management has not repudiated the working period of the workman and the payments made to him. So, it stands proved in view of the list of the working days, which has not been denied by the management and certificate issued by the management that the workman has worked for more than 240 days in 1996, 1997 and 1998. It is also found proved that the workman has worked from 14-11-1995 to 30-10-1998 as Carpenter and not as Beldar as is the case of the management. The management is engaged in the maintenance of monuments. The nature of Carpenter's work is a permanent nature of work and the workman has continuously and regularly worked for 4 years and he has worked for more than 240 days in the years 1996, 1997 and 1998. This issue is decided accordingly.

Issue No. 2

It was submitted from the side of the management that the Archaeological Survey of India is a Central Government Department under the Ministry of Tourism & Culture, Government of India and has been declared as Scientific and Technological Institution by the Government of India vide notification No. A-36016/2/89-Estt., Dated 27-10-1989 published in the Gazette of India. The Archaeological Survey of India is discharging its duties for the preservation and conservation of ancient and historical monuments and archaeological site and remains which are declared to be of national importance under AM & ASR Act, 1958.

It was further submitted that the Archaeological Survey of India is neither an Industry nor Industrial establishment nor industrial undertaking so as to attract the provisions of ID Act as ASI is performing sovereign functions of the State as enshrined in the Constitution of India in looking after the centrally protected monuments of national importance spread over throughout the length and breadth of the country. As such the provisions of Industrial Disputes Act shall not apply to the employees or the daily wages casuals engaged on Muster Roll by the Archaeological Survey of India.

It was further submitted that besides the regular establishment, the Archaeological Survey of India also engages daily waged casual labourers on need basis periodically for removal of vegetational growth, conservation, special repairs, environmental development, etc. Which are purely of casual/temporary nature and carried out for short duration. The said casual labourers belong to trades like beldar, bandhani, stone-cutter, mason, etc. for doing periodical works at the monuments and for archaeological excavations.

It was submitted from the side of the workman that the judgment of the Constitution Bench (1978) 3 SCR 207

still holds the field so far as definition of Section 2 (j) of ID Act is concerned. The Hon'ble Apex Court in that judgment has laid down triple tests and in the light of these tests it is to be ascertained whether the respondent/management is an Industry or not.

It has been held in Bangalore Water Supply that in an Industry there should be systematic activity and it should be organized by cooperation between the employer and the employees and it should be for production and/or distribution of goods and service calculated to satisfy human wants and wishes. It has been held that absence of profit motive or gainful objective is irrelevant. The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer and employee relations. If an organization is not carrying on trade and business, it is not beyond the purview of Industrial activities.

(1978) 3 SCR - Bangalore Water Supply case is a Constitution Bench judgment. It is still holding the field in the matter of adjudication of this point.

It has been held in this case that Section 2(j) of the Industrial Disputes Act, 1947 which defines industry contains words of wide import as wide as the legislature could have possibly made them. The problem of what limitations could and should be reasonably read in interpreting the wide words used in Section 2(j) is far too policy oriented to be satisfactorily settled by judicial decisions. The Parliament must step in and legislate in a manner which will leave no doubt as to its intention. That alone can afford a satisfactory solution to the question which has agitated and perplexed the judiciary at all levels.

In this judgment the Hon'ble Apex Court has laid down triple tests to ascertain whether a particular unit or undertaking is an industry or not. It has been held in this case that where there is systematic activity, organized by cooperation between employer and employee (the direct and substantial element is chimerical) and it is for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious, but inclusive of material things or services geared to celestial bliss e.g. making on a large scale prasad or food), such undertakings are Industries.

It has been further held that Absence of profit motive or gainful objective is irrelevant be the venture in the public, joint, private or other sector.

It has been further held that the true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer employee relations.

It has been further held that if the organization is a trade or business it does not cease to be one because of philanthropy animating the undertaking.

Although section 2(j) uses words of the widest amplitude in its two limbs, their meaning cannot be magnified to over each itself.

The Hon'ble Apex Court has laid down further the dominant nature test. It has been held as follows:

"Where a complex of activities some of which qualify for exemption, others not involves employees on the total undertaking some of whom are not workmen as in the University of Delhi case or some departments are not productive of goods and services if isolated, even then the predominant nature of the services and the integrated nature of the departments as explained in the Corporation of Nagpur will be the true test. The whole undertaking will be industry although those who are not workmen by definition may not benefit by the status.

Notwithstanding the previous clauses, sovereign functions, strictly understood (alone), qualify for exemption not the welfare activities of economic adventures undertaken by Government or statutory bodies.

Even in departments discharging sovereign functions if there are units which are industries and they are substantially severable then they can be considered to come within section 2(j).

The respondent's unit is not engaged in a sovereign function. It has been held in the above case that even arsenal or artillery department is an industry. Industry is decided on the nature of work it is performing.

It was further submitted from the side of the workman that the management is engaged in repairs and maintenance of monuments. Carpenters are always required. The management is still taking the wooden work from other Carpenters, after removing him. There is systematic activities in the maintenance of monuments, as the work is of regular nature and the workers employed for safeguarding the ancient monuments and for their maintenance are industrial workers. The management is carrying on the activities of an Industry.

From perusal of the records it becomes quite evident that the respondent/management is engaged in systematic human activities. The respondents are not discharging duties for gains but gainful objective is irrelevant in deciding whether an undertaking is an industry or not. In case activities of the respondents are considered in the crucible of the triple tests, respondent is obviously and definitely an industry. This issue is decided accordingly.

Issue No. 3

It was submitted from the side of the workman that he has worked continuously and regularly from 11-11-1998 to 31-10-1998 without any break and he has performed 120 days work in 1996, 1997 and 1998. His work has been terminated without payment of retrenchment compensation and one month's pay in lieu of notice.

The management has admitted that the workman has not been paid for the months of June, July and August and it has been stated that statutory steps are being taken for early payment. This case was filed in 2003 and there is no

evidence that the management has made payment of wages of the workman for the month of June, July and August, 1998.

It was further submitted by the management that the workman was employed on the basis of need, whenever there is occasional work, casual labours are engaged. The management is engaged in the maintenance of monuments. It includes repair of wooden work also. For such nature of work the duty of Carpenter is required, even if casual Carpenter are engaged on temporary basis, they should be paid retrenchment compensation and one month's pay in lieu of notice at the time of termination of their services. The management has not done so, so the services of the workman do not stand validly terminated. He shall be still deemed to be in service in the eye of law.

My attention was drawn by the Ld. Counsel of the workman to 2000 LLR 523 State of UP and Rajender Singh. The Hon'ble Apex Court ordered for reinstatement with full back wages as the services of the daily wager cleaner who worked for 4 years was dispensed with without following the procedure for retrenchment. In the instant case also no retrenchment compensation has been paid. This case law squarely covers the instant case.

It has been held in 1978 Lab IC 1668 that in case service of a workman is terminated illegally the normal rule is to reinstate him with full back wages.

My attention was further drawn to AIR 2002 SC 1313. The Hon'ble Supreme Court has held that daily wager even if serving for a short period should be reinstated.

It was submitted from the side of the workman that in the instant case Section 25 F, G of the ID Act is attracted. In Section 25 of the ID Act it has been provided that if a workman has performed 240 days work and if the work is of continuous and regular nature he should be given one month's pay in lieu of notice and retrenchment compensation.

It has been held by the Hon'ble Apex Court that there is no cessation of service in case provisions of Section 25 F are not complied. In the instant case no compensation has been paid to the workman.

In case a workman has worked for 240 days in a year and the work is of continuous and regular nature he should be paid retrenchment compensation. In case retrenchment compensation is not paid Section 25 F of the ID Act is attracted. There is no cessation of his services. He is deemed continued in service in the eye of law. In case there is breach of Section 25 F the service is continued and reinstatement follows as a natural consequence.

ID Act, 1947 has been enacted to safeguard the interest of the workmen belonging to poor segment of society. It appears that legislature wanted that such workmen should not be harassed un-necessarily so Sections 25 F, U, T and Clause ID of Vth Schedule have been enacted. The objects and reasons of ID Act, 1947

show that the respondent management should not be permitted to indulge in any unfair labour practice. The workman should not be engaged for years and then he should be removed all of a sudden. There is provision of retrenchment compensation for his removal. Retrenchment compensation is for compensating him otherwise so that he can survive long interregnum of unemployment. In the instant case no retrenchment compensation has been paid.

It was submitted from the side of the management that the Hon'ble Apex Court in 2006 (4) Scale has put down a complete ban on regularization and reinstatement. The Hon'ble Apex Court has held that employment can only be made on the basis of procedure established in that behalf envisaged by the Constitution. Equality of opportunity is the hallmark and the Constitution enshrines affirmative action to ensure that unequal are not treated equals. So public employment should be in terms of constitutional scheme.

It was further submitted that the Constitution Bench Judgment has afforded a right according to which the Government is not precluded from making temporary appointments or engaging workers on daily wages.

The Hon'ble Apex Court in Uma Devi's case, has not declared the provision of ID Act un-constitutional. The Government has got no license to make always appointment of daily wagers and to continue them for life time. Fixed term tenure appointments and temporary appointments cannot be the rule of public employment. At the time of making temporary appointments Articles 14, 16, 21, 23, 226 & 309 are infringed. There is no constitutional mandate that the Government is at liberty to go on giving fixed term appointments for the entire tenure of service of an employee.

No such Article of the Constitution has been pointed out under which the Government or Public Sector units can continue incessantly to give temporary and fixed term appointments again and again. Since fixed term appointments and temporary appointments are not governed by any constitutional scheme, such discrimination will amount to vicious discretion. The Government of Public Sector unit will go on resorting to the method of pick and choose policy and give temporary and *ad hoc* appointments to their favorites and thus the principles of equality enshrined in the constitution will be given a go bye. Such is not the intent of the Hon'ble Apex Court in Scale 2006 (4). However, in this judgment the provision of the ID Act governing the services of the workman have not been declared un-constitutional. Reinstatement is the remedy provided in the ID Act for breach of several provisions enumerated therein or for breach of service rules provided in various labour welfare legislations.

Section 11 A of the ID Act stipulates that in case the Tribunal is satisfied that the order of discharge or dismissal

was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstance of the case may require. According to this benign provision this Tribunal has the authority to set aside the order of discharge or dismissal and reinstate the workman on the terms and conditions as it thinks fit.

The Hon'ble Apex Court in 2006 (4) Scale has not annulled Section 11 A of the ID Act and the legislature has authorized this Tribunal to set aside dismissal or discharge on its consideration and direct reinstatement. The judgment cited by the management is not applicable in the facts and circumstances of the case.

A three Judges bench of the Hon'ble Apex Court has held in 1993 - II - LLJ that termination of services affects the livelihood of not only of the employee but also of the dependents. So in case of illegal termination of service the workman should be reinstated.

It was further submitted by the management that the workman has been given fixed term appointment. It has been held in 2006 LLR 68 that termination in terms of appointment letter is justified. The Hon'ble Apex Court has held that the workman has not proved that the work is of continuing nature and it is still existing. So termination after the period of fixed term engagement has been held valid. In the instant case the work is still continuing. This case law is not applicable in the facts and circumstances of the present case.

My attention was drawn to 2006 LLR 68. The Hon'ble Apex Court has held that engagement and extension of services of the workman was for a specific period and hence termination is not illegal and the termination is in accordance to the provisions of 2 (oo) (bb). In this case also the Hon'ble Apex Court found that it is not proved that the work is of existing nature.

In (1997) 11 SCC 521 the Hon'ble Apex Court found the termination valid as the appointment was for specified period of two months.

Reinstatement should not be misconceived as regularization. By the order of reinstatement the *status quo ante* of the workman is restored. He is given back wages in order to compensate him for his illegal dis-engagement. This is a special remedy provided in ID Act and it has not been annulled and set aside by any judgment of the Hon'ble Apex Court. The provisions of the ID Act are still constitutional and they are to be given effect too.

In cases the workman is reinstated with back wages, the respondents have every right, after payment of back wages and reinstatement, to retrench him validly following the principles of first come last go so that Sections 25, G &

H of the ID Act are not violated. This issue is decided accordingly.

Issue No. 4

It was submitted from the side of the workman that he has worked for 3 to 4 years and in 3 to 4 years he has worked for more than 240 days in every year. So, he should be paid 100% back wages.

No hard and fast rules have been laid down for payment of back wages. Back Wages depends on the facts and circumstances of each case. 100% back wages is not the natural consequence.

It was submitted by the management that payment of full back wages is not the natural consequence of the order of discharge or dismissal being set aside.

It has been held in (2003) 6 SCC 141 that it is incumbent upon the labour court to decide the quantum of back wages.

It has been further held in (2001) 2 SCC that payment of back wages having discretionary element involved it is to be dealt with the facts and circumstances of the case. No definite formula can be evolved.

It has been further held in this case that payment of back wages in its entirety is the statutory sanction. In (2003) 4 SCC 27 the Hon'ble Apex Court held that in view of delay in raising the dispute and initiating the proceedings back wages need not be allowed. In the instant case there is no delay at least on the part of the workman in raising the dispute.

In 2004 VIII AD SC 444 the Hon'ble Apex Court upheld the order of reinstatement with 25% back wages.

In 1978 Lab IC 1968 - three Judges Bench of the Hon'ble Apex Court held that payment of full back wages is the normal rule. In case services have been illegally terminated either by dismissal or discharge or retrenchment, in such circumstance the workman is entitled to full back wages except to the extent he was gainfully employed during the enforced idleness. In the instant case the workman was always ready to work but he was not permitted on account of invalid act of the employer.

In AIR 2002 SC 1313 the Hon'ble Apex Court reduced the back wages to 25%.

In 2005 IV AD SC 39 - three Judges Bench of the Hon'ble Apex Court held that reinstatement with full back wages is justified. In this case the workman has performed more than 240 days work and he has been retrenched without payment of compensation and pay in lieu of notice.

It was submitted from the side of the management that reinstatement is not the only remedy. In such cases the workman may be given compensation. Section 11 A of the ID Act, 1947 provides that in case dismissal or discharge

is found illegal reinstatement should be ordered. It has been held in a catena of cases by the Hon'ble Apex Court that reinstatement with full back wages is the normal rule. The statute provides for reinstatement. In certain exceptional cases where the undertaking has been closed down or it has become sick there may be order for payment of compensation.

The workman has rendered services for 3 to 4 years. He has performed 240 days work atleast in three year. In view of tenure of his service he is entitled to get 25% back wages only. This issue is decided accordingly.

Issue No. 5

From the issues decided above it becomes quite apparent that the workman deserves reinstatement with 25% back wages. This issue is decided accordingly.

The reference is replied thus :

The action of the management of Archaeological Survey of India, New Delhi in relation to terminating the services of Shri Suresh Kumar Sharma, Ex-Beldar/Carpenter w.e.f. 1-11-1998 and non-payment of his salary for the period from June, 1998 is neither legal nor justified. The management should reinstate the workman w.e.f. 01-11-1998 alongwith 25% back wages within two months from the date of the publication of the award and pay him the entire back wages including the wages June, July and August, 1998.

Award is given accordingly.

Date: 29-03-2007. R. N. RAI, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1235.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एन सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 29/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-22012/541/1996-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1235.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 29/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of NCL and their workman, which was received by the Central Government on 4-4-2007.

[No. L-22012/541/1996-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

Annexure

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT, JABALPUR

No. CGIT/LC/R/29/99

Presiding Officer : Shri C. M. Singh

General Secretary,
Koyla Shramik Sabha (HMS),
Gorai Mansion, G.T. Road,
Asansol (W.B.)

—Workman/Union

Versus

General Manager,
Amlohari Project of NCL,
PO : Amlohari Colliery,
Distt. Sidhi

Management

AWARD

Passed on this 26th day of March, 2007

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/541/96-IR (CM-II) dated 11 to 15-12-1998 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the General Manager, Amlohari Project of NCL in paying Cat. IV wages to S/Sh. N. K. Singh, H. L. Shah, Kamlesh Chand, Punnu Singh and S. K. Singh who are performing duties of Sub-station Attendants on 25 KVA capacity sub-station at Amlohari Project is in accordance with the provisions of nomenclature job description and classification of coal workers? If not, what relief the workman are entitled to?”

2. After the reference order was received, it was duly registered on 11-1-99 and notices were issued to the parties to file their respective statements of claim. Order dated 31-8-06 of this tribunal reveals that inspite of sufficient service of notice on the workman/Union, no one put in appearance for workman/Union and therefore the reference proceeded exparte against the workman/Union.

3. Order dated 15-3-07 of this tribunal reveals that Shri A. K. Shashi, Advocate appeared for the management and submitted that the management has not to file any statement of claim. He further submitted that the reference be closed. And this reference was closed for award.

4. It is clear from the above that none of the parties is interested in this reference, meaning thereby no industrial dispute is left between them and therefore it shall be just and proper to pass a no dispute award in this reference. Consequently no dispute award is passed without any order as to costs.

5. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

क्र.आ. 1236.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एन सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या 109/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-22012/128/1997-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1236.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 109/1998) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of NCL and their workman, which was received by the Central Government on 4-4-2007.

[No. L-22012/128/1997-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CGIT/LC/R/109/1998

Presiding Officer: SHRI C.M. SINGH

The Secretary,

Rashtriya Colliery Mazdoor Sangh,

Amlohari Branch,

PO : Amlohari Colliery,

Distt. Sidhi (MP)

—Workman/Union

Versus

The General Manager,

Amlohari Project of NCL,

PO : Amlohari Colliery,

Distt. Sidhi (MP)

—Management

AWARD

Passed on this 26th day of March, 2006

1. The Government of India, Ministry of Labour vide its Notification No.L-22012/128/97/IR-(CM-II) dated 20-5-98 has referred the following dispute for adjudication by this tribunal :

“Whether the action of the General Manager, Amlohari Project of NCL in superseding Sh. Dalel Singh, Dozer Operator Gr. B by promoting his juniors to the post of Dozer Operator Gr. A Amlohari Project is legal and justified? If not, to what relief the workman is entitled?”

2. After the reference order was received, it was duly registered on 18-6-98 and notices were issued to the parties to file their respective statements of claim. Order dated 10-2-06 of this tribunal reveals that inspite of sufficient service of notice on workman/Union, no one put in appearance for workman/Union and therefore *vide* order dated 18-5-06 the reference proceeded *exparte* against workman/Union.

3. The management filed their statement of claim. The case of the management in brief is as follows. That workman Dalel Singh was appointed as Dozer Operator (T) on 26-9-84. He was regularised as Dozer Operator Gr. II on completion of training period on 26-9-85. He was further promoted to the post of Dozer Operator Gr. I (Group-B) on 26-9-86 and finally to the post of Sr. Dozer Operator (Group-A) w.e.f. 29-7-96 which is the highest grade of the Dozer Operator Cadre. In the month of Dec., 1994, a DPC was constituted for considering the cases of Dozer Operator Gr. I (Group-A) at Amlohari Project. The case of the workman was also examined by the DPC alongwith others. The criteria for promotion to the post of Sr. Dozer Operator is on the basis of merit-cum-seniority. The DPC scrutinized the performance report of the candidates for last 3 years which is the main basis of assessment of merit of an employee. During the scrutiny, the DPC found that in the performance report for the year 1992-1993 and 1993-1994 of the workman following remarks has been given by the reporting officer and reviewing officer :—

“He is fit for present grade but not suitable for promotion to higher grade and he has health problem also.”

Since the performance of the workman was not found to be suitable for promotion, the DPC did not recommend his name for promotion to the post of Sr. Dozer Operator. The workman was communicated the said performance report with an advise to improve his performance in future *vide* letter dated 21-6-95. The Sr. Dozer Operator which requires highly skilled workmanship as per the cadre scheme applicable to the said category. The promotion cannot be claimed as a matter of right. Every promotion depends upon eligibility, suitability and requirements etc. In the present dispute, the DPC did not find the workman suitable for the higher post/responsibility hence his case was rightly not considered for promotion during the year 1995. The workman was promoted to the post of Sr. Dozer Operator Gr. A just after one year i.e. w.e.f. 29-7-96 as per company's norms. Therefore, the action of the management in not promoting the workman to the post of Sr. Dozer Operator Gr. A due to his adverse performance report in the year 1995 is legal, proper and justified and the workman is not entitled to any relief.

4. The management in order to prove their case filed affidavit of their witness Shri M.L. Das, then working

as Personnel Manager in Amlohari Project of NCL.

5. I have heard Shri A.K. Shashi, Advocate the learned counsel for the management and perused the evidence on record.

6. The case of the management is fully established and proved from the uncontroverted and unchallenged affidavit of management's witness Shri M.L. Das. Against it, as the case proceeded ex parte against the Workman/Union, there is no evidence on behalf of Workman/Union on record.

7. In view of the above, the reference requires to be answered in favour of the management and against the workman. But considering the circumstances of the case, I am of the view that the parties should be directed to bear their own costs of this reference.

8. The reference is decided in favour of the management and against the Workman/Union holding that the action of the General Manager, Amlohari Project of NCL in superseding Sh. Daler Singh, Dozer Operator Gr. B by promoting his juniors to the post of Dozer Operator Gr. A Amlohari Project is legal and justified and consequently the workman is not entitled to any relief. The parties shall bear their own costs of this reference.

9. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1237.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 183/92) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-22012/49/1992-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1237.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 183/1992) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 4-4-2007.

[No. L-22012/49/1992-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

NO. CGIT/LC/R1183/92

PRESIDING OFFICER: SHRI C.M. SINGH

Pradhan Mantri, : Workman/Union
Koyla Mazdoor Sabha,
Sohagpur Area,
P.O Dhanpuri,
Distt. Shahdol (MP)

Versus

The General Manager,
Jamuna & Kotma Areas of SECL,
PO Jamuna Colliery,
Distt. Shahdol (MP) : Management

AWARD

Passed on this 22nd day of March, 2007

1. The Government of India, Ministry of Labour vide its Notification No.L-22012/49/92-IR(C-II) dated 8-9-92 has referred the following dispute for adjudication, by this tribunal:

“Whether the action of the management of Jamuna & Kotma areas of S.E.C.Ltd. in denying proper fixation of Shri J.L. Garewal, Teacher of Junior High School, Kotma Colliery in clerical Gr.I is legal and justified? If not, to what relief the workman concerned is entitled to?”

2. The case of workman Shri J.L. Garewal in brief is as follows: That he was appointed as a teacher on 18th August, 1967 at Junior High School, Kotma Colliery. He was confirmed on the post of teacher on 1st May, 1968. On 15th August, 1971, the management promoted him to the clerical Grade-II. The workman had obtained the degree of Graduation from Sagar University in 1968. The management denied proper fixation of his pay w.e.f. Jan. 1979 in clerical Grade-I. Therefore he has requested for proper relief. The objection taken by the management is that the workman is a teacher and he does not come under the definition of “workman” under Sec. 2(s) of the I.D. Act, 1947 and as such his dispute is not triable by this tribunal.

3. In this reference, award was passed by my learned predecessor in office on 16-11-95. But the same was quashed by the Hon'ble High Court of MP with direction that the tribunal may decide the issue by recording evidence of the parties. It has been specifically directed by the Hon'ble High Court of MP vide order dated 15th day of December, 2005 in W.P. No. 903/1997 that the award has been passed without recording any evidence on the preliminary ground. the CGIT is hereby directed to provide opportunity to the parties to lead the evidence and re-decide the reference. In compliance of the above order of the Hon'ble High Court, notices were issued to both the parties but inspite of sufficient service of notice, the workman failed to put in appearance. The workman was given opportunity to amend his statement of claim by adding any pleadings as directed by the Hon'ble High Court vide its order dated

15th December, 2005 in W.P. No. 903 of 1997. Thereafter opportunity was also given to the workman to lead evidence by way of affidavit for compliance of the order of the Hon'ble High Court. But the workman neither moved application for amendment of statement of claim nor led any evidence. Shri A.K. Shashi, Advocate the learned counsel for the management submitted that the management has not to adduce any evidence. Consequently the argument advanced by Shri A.K. Shashi, Advocate the learned counsel for the management was heard and the reference was closed for award.

4. It is settled law that education is an industry but a teacher is not a workman as defined in the I.D. Act, 1947. Teaching is a mission or noble vocation. The Hon'ble Supreme Court and High Courts have repeatedly observed that teacher is not a "workman" as defined under Sec. 2(S) of the I.D. Act, 1947. (Miss A. Sunderamabai v. Government of Goa, Damjan & Dhu and others (1989-1-LLJ 6(SC)=1988(57 FLR 462). It is therefore held that Shri J.L. Garewal is not a workman under Sec. 2(S) of the I.D. Act 1947 and consequently this tribunal has no jurisdiction to decide the dispute raised under the reference. The reference is therefore answered accordingly. The parties are directed to bear their own costs of this reference.

5. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

क्र.आ. 1238.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण गोदावरीखानी के पंचाट (संघर्ष संख्या 116/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-22013/01/2007-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1238.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 116/2004) of the Industrial Tribunal, Godavarikhani as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 4-4-2007.

[No. L-22013/01/2007-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, GODAVARIKHANI

President :

Sri M. Shanmugam, B. Com. B.L.,
Chairman-cum-Presiding Officer.

Thursday, the 7th Day of December, 2006

INDUSTRIAL DISPUTE NO. 116 OF 2004.

Between :

Argi Knakaiah, ... Petitioner
S/o. Hanumanthlu,
Age 48 yrs.,
Occ : Ex-Pump Operator,
K.K. No. 1 Incline, Mandamarri,
R/o. 24-5, Angadi Bazar,
Pochammawada, Mandamarri,
Dist. Adilabad.

And

1. The Colliery Manager,
K.K. No. 1 Incline, S.C. Co. Ltd.,
Mandamarri, Dist. Adilabad.
2. The Chief General Manager,
S.C. Co. Ltd., Mandamarri,
Dist. Adilabad.
3. The Managing Director (ADM),
Singareni Collieries Co. Ltd.,
Kothagudem,
Dist. Khammam A.P. ... Respondents.

This Industrial Dispute petition U/Sec. 2-A(2) of I.D. Act, coming on before me for final hearing on 27-11-2006 upon perusing all other documents on record and upon hearing arguments of Sri B. Shanthan Kumar, Advocate, for the petitioner and Sri D. Krishna Murthy, Advocate for the respondents, having stood over for consideration till this date, the court passed the following :—

AWARD

1. The petition is filed U/Sec. 2-A(2) of I.D. Act, 1947. The petitioner prays this court to set-aside the termination orders passed by the 2nd respondent vide office order No. MMR/PER/S/161/5940, dt. 23-12-2003 and direct the respondents to reinstate the petitioner into service with continuity of service and all other attendant benefits including full back-wages in the interest of justice.

2. The averments of the petitioner are as follows :—

The petitioner worked as Pump Operator in K.K. No. 1 Incline, Mandamarri area to the best satisfaction of his superiors, ever since his appointment in his unjust dismissal from service w.e.f., 23-12-2003 by the respondent No. 2. At the material time, the petitioner was working under the 1st respondent in K.K. No. 1 Incline. The 3rd respondent is the head of Singareni Collieries Co. Ltd.

3. The petitioner worked as Pump Operator regularly and maintained best attendance. That the petitioner due to ill-luck met with road accident. That the petitioner was riding his scooter and fell on the road as which was turtiled and slept, due to which he sustained fracture of both bones of his right leg in the month of Nov., 2001. The petitioner took the treatment outside of the collieries Hospital and after the treatment, resumed his duties from 21-1-2002 on production of fitness certificate from the doctor who treated the petitioner.

4. That the petitioner due to bad luck again on 26-05-2002 while he was in duty in third shift met with accident and sustained fracture to his right leg both bones. Immediately the petitioner was referred to the Area Hospital, Ramakrishnapur, stating that the petitioner got road accident 5 to 6 months back and was taken treatment in the outside hospital and at seems that the operation got in effected and requested him not to treat as Mine Accident and necessary treatment may be given at your end. Accordingly he was under the treatment of area hospital, Ramakrishnapur and on 13-08-2003 referred to main hospital, Kothagudem on 24-8-2003 and discharged on 25-08-2003. On 27-8-2003 the chief Medical officer, Ramakrishnapur advised to apply for Corporate Medical Board for fitness. the Medical Superintendent Ortho, Kothagudem issued medical certificate stating that the petitioner is suffering from Malunted Fracture both bones right leg with deformity and shortening which has permanently and totally incapacitated him from work in the coal fields within the meaning of paragraph 63(1)(b) of the Coal Mines Provident Fund Schemes.

5. That the respondent No. 2 basing on the certificate issued by the Medical Superintendent (Ortho), Kothagudem, terminated the services of the petitioner with immediate effect vide Jr. No. MMR/PER/S/161/5940, dated 23-12-2003, with a direction to approach the first respondent for settlement of his dues.

6. That the petitioner met with accident while he was on duty on this date, on 26-5-2002, the management of the Singareni Collieries Co. Ltd., not provided proper treatment and also failed to attend the required operation to his both bones of his right leg in time on pretext that the petitioner met with road accident and took the treatment outside their hospital, which shows that even the petitioner met with accident on duty and not treated the said accident as on duty and neglected to provide immediate and necessary treatment. Due to which the right leg of the petitioner became shortening, which is the injustice caused to the petitioner. Even now, the petitioner is able to work as Pump Operator, which is the work on the surface.

7. That the management is also failed to treat the period from the date of the accident from 26-5-2002 to till the date of termination of his services i.e., 23-12-2003 as on duty for which the expenditure for the

medicines and also for his conveyance and etc., and obtained debts from his friends and relatives.

8. That he did not file any petition before any other authority or court except the present petition before this court. He did not prefer any appeal and there are no hopes of its consideration. Hence, the petitioner is approaching this court seeking justice. Therefore, the petitioner prays this court to set-aside the termination orders passed by the 2nd respondent vide office order No. MMR/PER/S/161/5940, dttd. 23-12-2003 and direct the respondents to re-instate the petitioner into service with continuity of service and all other attendant benefits including full back-wages in the interest of justice.

9. The averments of the counter filed by the respondent are that it is a Govt. company incorporated under the provisions of Companies Act, 1956 for carrying out business of winning and selling of coal. That since the coal mining industry is a central subject the appropriate Government for this respondent-management is Central Government. That as per Sec. 7A (i) of I.D. Act, the appropriate Government may be notification in the official gazette constitute one or more Industrial Tribunals for the adjudication of Industrial Disputes relating to any matter whether specified in the 2nd schedule or 3rd schedule and for performing such other functions as may be assigned to them under this Act. That the Central Government established a Central Government Industrial Tribunal-cum-Labour Court at Hyderabad from 29-12-2000 for adjudication of Industrial Disputes and the petitioner ought to have approached the said Tribunal for the redressal of grievance if any. But, the petitioner conveniently avoided to file his petition before the Tribunal established by the Central Government for the reasons best known to him. That the petition is not maintainable under law and the same may be dismissed on this ground alone.

10. That the maintainability of the dispute raised by the petitioner before this court may be decided as preliminary issue before proceeding with the trial. That the petitioner failed to exhaust the conciliation procedure as laid down in the I.D. Act, and failed the present petition before this Tribunal U/Sec. 2-A(2) of I.D. Act, 1947 as amended by A.P. Amendment Act, 1987 (Act No. 32 of 1987). That as the appropriate government for coal mining industry is the Central Government, the State Amendment Act is not applicable to the respondent company and the petition filed by the petitioner is not maintainable under law and is liable to be dismissed in limine.

11. The respondent company without prejudice to its rights in respect of the preliminary objection raised above, submits its counter as follows :—

12. In reply to para-1 of the petition the respondent company submits that the petitioner worked as Pump Operator at K.K. No. 1 incline, Mandamarri area of the respondent company and his services were terminated vide letter dt. 23-12-2003 as he was declared unfit for further

service, since he was found to be suffering from malunited fracture in both bones of right leg with deformity and shortening but was not dismissed as alleged by him.

13. In reply to para-2 of the petition the respondent company submits that the petitioner informed the concerned mine authorities that he met with a motor accident in November, 2001 and sustained fracture to both bones of his right leg and took treatment in a private hospital and reported for duty on 21-1-2002. That the petitioner failed to avail medical facility available at respondent's hospitals for the reasons best known to him.

14. In reply to paras 3 & 4 of the petition the respondent company submits that the petitioner never met with a mine accident muchless in 3rd shift of 26-5-2002 and never sustained any fracture. That the respondent company provided him light job on surface at his request as the petitioner sustained fractures to his right leg in a motor accident. That as the petitioner complained of pain at the right leg where he sustained fracture due to motor accident the petitioner was directed to area hospital at Srirampur area of the respondent company for treatment. The petitioner was also referred to the main hospital of the respondent company for further treatment.

15. That as the petitioner is suffering from malunited fractured bones right leg with deformity and shortening due to motor accident he was advised to apply for referral to corporate medical board for finding out his fitness in view of his difficulty, to continue his job as per the medical attendance rules of the respondent company. The petitioner vide his application dt. 2-9-2003 requested the respondent company to refer his case to corporate medical board and to declare him unfit for further service. That the corporate medical board examined the petitioner on 19-11-2003 and declared him unfit for further services as he is suffering from malunited fracture in both bones of right leg with deformity and shortening. During examination by the medical board the petitioner also expressed his willingness to receive lumpsum amount of Rs. 3.00 lakhs in lieu of dependent employment and monthly monetary compensation. As the petitioner was declared unfit for further services of the respondent company the services of the petitioner were terminated vide letter dt. 23-12-2003 with immediate effect. That the petitioner did not challenge the findings of the corporate medical board of the respondent company and did not mention any thing about his alleged mine accident before the medical board. The petitioner received lumpsum amount of Rs. 3.00 lakhs in lieu of dependent employment along with all retirement benefits including monthly pension under Coal Mines Pension Scheme. That concealing all the above facts the petitioner filed this petition before this Court alleging for the first time that he met with a mine accident and the respondent company dismissed him from services without any reason for his wrongful gains.

16. In reply to para-5 of the petition the petitioner never met with a mine accident in 3rd shift on 26-5-2002. That as the petitioner complained pain at the right leg where he earlier sustained fracture due to motor accident he was referred to area hospital, Srirampur area of the respondent company for treatment on humanitarian grounds as the treatment he received at private hospital is not proper. The petitioner was provided treatment free of cost at area hospital, Srirampur area and at the main hospital at Kothagudem from 27-5-2002. That due to poor treatment at private hospital the petitioner suffered malunited fracture in both bones of right leg with deformity and shortening. Inspite of giving treatment at respondent company hospitals the same could not be rectified.

17. In reply to para-6 of the petition that as the injuries sustained and suffered by the petitioner are not due to mine accident the petitioner is not entitled for wages from 27-5-2002 from which date he was provided treatment at respondent company hospitals for his pain in right leg at the place of his earlier fracture caused due to motor accident.

18. The other allegations which are not specifically admitted herein are hereby denied. That the petitioner after getting himself referred to corporate medical board for declaring him unfit in view of his health condition and after receiving lumpsum amount of Rs. 3.00 lakhs in lieu of dependent employment and monthly monetary compensation along with all other terminal benefits and monthly pension filed the above petition for his wrongful gains. That once the petitioner was declared unfit for further services in the respondent company and once the services of the petitioner were terminated and once the petitioner received lumpsum amount of Rs. 3.00 lakhs in lieu of dependent employment along with all other retirement benefits including pension the petitioner is not entitled for reinstatement as prayed for. The petitioner filed the above petition as an after thought for his wrongful gains. Therefore the respondent company prays this court to dismiss the petition with exemplary costs in ends of justice, else the respondent company suffers irreparable loss.

19. Heard arguments on both sides. On behalf of the petitioner workmen side, Ex. W-1 to Ex. W-7 are marked. For the respondent side Ex. M-1 to Ex. M-11 are marked. Both the side counsels are stated for the above documents, they have no objection for admitting, receiving and marking the documents on either side. On both the sides no witnesses were examined and no decisions filed. On behalf of the petitioner side filed written arguments by supplying copy to other side. On behalf of the respondent side, no written arguments filed and only oral arguments.

20. Before going to the merits of the case, I would like to submit how the case was delayed. The petition was filed on 11-10-2004 and it was numbered on 1-11-2004. On 20-6-2005 the respondent No. 2 filed the

counter and documents. Memo filed by R-1 & R-3 adopting the counter of R-2.

21. On 28-8-2006, the petitioner counsel filed memo U/Sec. II-A of the I.D. Act, stating that the petitioner is not challenged and questioned the validity of the domestic enquiry. Hence there is no necessity for hearing of the preliminary issues as there is no question of law involved as it is a medical unfit case and the petitioner also entered into the settlement with the respondents.

22. From the petitioner's counsel argument and as per the written arguments filed by the petitioner, the petitioner worked as Pump Operator in the respondent company regularly and maintained good attendance. Due to bad luck, he met with a road accident which took place while he was riding his scooter and he fell on the road which resulted in both bones of his right leg in the month of November, 2001. The petitioner took treatment outside the colliery hospital. After his treatment he resumed his duties from 21-1-2002 on production of fitness certificate from the doctor who treated the petitioner i.e., marked as Ex.W-1. Unfortunately the petitioner again met with an accident on 26-5-2002 while he was working and sustained fracture to his right leg both bones. He was referred to the area hospital, Ramakrishnapur with a letter on 3-6-2002. It is marked as Ex.W-2. Accordingly he went under treatment at area hospital and from there he was referred to main hospital, Kothagudem and taken treatment and he was also discharged. On 27-8-2003 the Chief Medical Officer, Ramakrishnapur advised the petitioner to apply for corporate medical board for fitness. The same is marked as Ex.W-5. The petitioner counsel further submitted that the respondent based on the certificate issued by 'the Kothagudem hospital, Medical Superintendent, terminated the services with immediate effect on 23-12-2003 with a direction to approach the 1st respondent for settlement of his dues and it is marked as Ex.W-7. The management failed to treat the period from the date of accident to the date of termination from service as on duty for which the petitioner is entitled to all the benefits. For this accident while working on duty also the respondent did not provide proper treatment. When he was not treated and for neglected to treatment for provide immediate medicine, it caused the leg shortening. Though the petitioner approached the respondent for several times seeking justice, but it fell on deaf ears. Even the representation made by the Trade Union could not give any justice by the management. This is a grave injuries caused to the petitioner on account of neglect of the respondent. Even now the petitioner is able to work as pump operator on the surface. Hence, he prayed the court to set-aside the order which was passed without conducted enquiry against the petitioner and to reinstate the petitioner into service with continuity of service and all other attendant benefits.

23. For this the respondent counsel argument was that the respondent-company is a Government company

incorporated under the provisions of company is Act, 1956 for carrying out the business of winning and selling of coal. The coal mining industry is a central subject and the appropriate government for the respondent-management if central government. The central government established CGIT-cum-Labour Court at Hyderabad from 29-12-2000 for adjudication of Industrial Disputes and the petitioner ought to have approached the said Tribunal for the redressal of the grievance. But the petitioner conveniently avoided to file his petition before the CGIT for the reasons best known to him. Hence, the petition is not maintainable under law and the same may be dismissed on this ground. The maintainability of the dispute before this court may be decided as a preliminary issue. The present petition filed U/Sec. 2-A(2) is not maintainable under law and is liable to be dismissed.

24. The respondent standing counsel further contended that though the petitioner met with a motor accident and sustained a fracture to both the bones of his right leg and took treatment in a private hospital, as the petitioner failed to avail the medical facility available at the respondent hospital, for the reasons best known to him. The respondent company provided him light job on surface at the request of the petitioner, after sustaining the motor accident. Due to the sustained fracture on the motor accident, the petitioner complained of pain and he was directed to area hospital and he was also referred to the main hospital of the respondent company for further treatment. The petitioner made an application on 2-9-2003 requesting the respondent company to refer his case to the corporate medical board and to declare him unfit for further service and it is marked as Ex.M-3. On that the corporate medical board examined the petitioner on 19-11-2003 and declared him unfit for further service as he is suffered from malunited fracture in both the bones of right leg with deformity and shortening and it is marked as Ex.M-7. On that the respondent-management terminated the petitioner from the services vide letter dt.23-12-2003 with immediate effect and it is marked as Ex.M-8. The petitioner did not challenged the findings of the corporate medical board of the respondent-company and not mentioned anything about the mine accident before the medical board. The petitioner filed this petition before this court concealing all the above facts alleging for the first time that he met with mine accident and the respondent company dismissed him from the service without any reason for his wrongful gains. As the injury is sustained due to motor accident, but not due to mine accident, so the petitioner is not entitled for wages.

25. The respondent counsel lastly contended that the petitioner after getting himself referred to corporate medical board for declared him unfit in view of his health and after receiving lumpsum amount of Rs. 3,00,000 in lieu of dependent employment and monthly compensation alongwith other terminal benefits and monthly pension,

filed this petition for his wrongful gains. Once the petitioner was declared medical unfit for further service and on that the petitioner was terminated and the petitioner accepted to receive the lumpsum amount of Rupees Three Lakhs in lieu of dependant employment and monthly compensation alongwith other terminal benefits and monthly pension. Therefore, the respondent company prays this court may be pleased to dismiss the petition as the petitioner is not entitled for reinstatement, with exemplary costs in the interest of justice.

26. Before going to the merits of the case, I would like to submit as per the counter allegations the petition is not maintainable as the respondent-management established by the Central Government. This petition is filed U/Sec.2-A(2) of I.D. Act. The respondent counsel contended in the counter that this may be decided as a preliminary issue. From the respondent counsel arguments, no doubt the respondent-management company established by the Central Government and at the same time, the company was under the control of the State Government. When there is control of the State Government, the Sec. 2-A(2) of I.D. Act—A.P., Amendment Act is applicable. So from the contention of the respondent counsel, this court has no jurisdiction, cannot be accepted.

27. The 2nd point pleaded in the counter by the respondent counsel, the petition U/Sec. 2-A(2) of I.D. Act is not applicable. In this point also, there is no force. Sec. 2-A(2) says any dispute or difference between the workman and the employer connected with or arising out of discharge, dismissal, retrenchment or termination shall be deemed to be an Industrial Dispute. In this case, as per Ex.M-8, dt. 23-12-2003 clearly shows the petitioner was terminated from the service of the company with immediate effect. When there is termination, the petitioner is entitled to file this petition U/Sec. 2-A(2) of the I.D. Act. So there is no force in the contention pleaded by the respondent and argued for maintainability of the petition in this court.

28. Before adverting to the question relating to the legality and validity of termination order of the petitioner for the reason of medical unfitness to work in the coal mines issued by the respondent, it may be necessary to briefly notice the relevant facts. It is an admitted fact that the petitioner worked as pump operator in the respondent company. The petitioner himself admitted that in the month of November, 2001 while he was riding his scooter, he fell on the road which resulted in the fracture of both the bones of his right leg and he had taken treatment outside the colliery hospital and after the treatment he resumed his duties from 21-1-2002 on production of medical fitness certificate from the doctor who treated the petitioner. The petitioner was directed to area hospital and also to the main hospital of the respondent company for condition of his fitness in view of his unfitness to continue his job as per the medical attendance rules of the respondent-company. The petitioner made an application dt. 2-9-2003

requesting the respondent company to referred to the corporate medical board. After examined the petitioner on 19-11-2003 the corporate medical board declared him unfit for further services as he is suffering from fracture in both the bones of his right leg.

29. From the petitioner's counsels written arguments stated that on 26-5-2002 while he was working he met with an accident. On that he was referred to area hospital. But the respondent counsel contended that the petitioner never met with a mine accident in 3rd shift on 26-5-2002 and never sustained in fracture. The petitioner failed to prove either by filing in medical certificate or any evidence of the petitioner to prove that he met with a mine accident. When the petitioner failed to do so having burden on him for the accident and the fracture sustained by the petitioner cannot be accepted. Anyhow that is not the dispute, but it is an admitted fact that on his application marked as Ex.M-3, dt. 2-9-2003 he was referred to the corporate medical board for examination. As per the medical board examination issued the certificate marked as Ex.M-7, he was permanently and totally incapacitated to work in the coal fields. On the basis of that the respondent company issued termination letter dt. 23-12-2003 marked as Ex.M-8. On that the petitioner raised I.D., under the provisions of I.D. Act by filing this petition U/Sec.2-A(2) Act challenging the termination order passed by the respondent and requesting the court to set aside termination order and to reinstate the petitioner into service with back-wages and attendant benefits etc.

30. The learned counsel for the petitioner submits that the management failed to treat the period from the date of accident from 26-5-2002 to till the date of termination of his service i.e., 23-12-2003 as on duty for which the petitioner is entitled to. The petitioner met with accident while he was on-duty on 3rd shift on 26-5-2002, the company failed to provide proper treatment and failed to arrange the required operation to his both bones of his right leg. The respondent-company neglected to provide immediate medicare to the petitioner which caused the leg inshortening.

31. For this, the respondent counsel argument was that the petitioner concealed the true facts and by suppressing that he met with accident while riding the scooter. The injuries sustained and suffered by the petitioner are not on duty and so, the petitioner is not entitled to any wages. The petitioner himself made an application to get himself referred to the corporate medical board for declaring him unfit for further service. He further contended that the petitioner received lumpsum amount of Rs. 3,00,000 in lieu of dependant employment and monthly monetary compensation under coal mines pension scheme and this petition is filed only to get the wrongful gain. In view of the medical unfit certificate issued by the corporate medical board, the petitioner is not entitled for any re-instatement and this petition is liable to be dismissed.

32. From the facts and circumstances of this case, this court on appreciation of evidence and the material on record came to the conclusion that on the application of the petitioner dt. 2-9-2003, he was referred to the corporate medical board for considering his request to declare him unfit for further service, i.e., marked as Ex.M-3.

33. The respondent counsel also marked Ex. M-11 which are the O.P. tickets in a bunch showing the treatment given to the petitioner by the respondent hospital. The respondent also filed Ex. M-9 and Ex. M-10 which are the circulars for examination of employees by the corporate medical board. On the request of the petitioner he was referred to the corporate medical board. Ex.M-7 is the report of the corporate medical board, dt.19-11-2003. The petitioner is unfit for the underground job. The petitioner agreed as he is willing for receiving lumpsum amount of Rs. 3,00,000/- lakhs for his termination as compensation in lieu of dependent employment. Though the petitioner pleaded he met with an accident while he was working but to that effect having burden on the petitioner but he did not file any documents or oral evidence or medical certificates to prove that he has received injuries in the mine accident. Having burden on him, he failed to prove and the contention of the petitioner counsel that he met with mine accident while working cannot be accepted.

34. From the petitioner's counsels written arguments he pleaded the termination orders which were passed without conducting enquiry against the petitioner. For this from the respondent's counsel argument where the disciplinary authority is satisfied for the reasons to be recorded in writing that it is not reasonably practicable to hold enquiry, the disciplinary authority may consider the circumstances of the case and make such an order. In this case, the petitioner on examination by the medical board issued the medical certificate marked as Ex.M-7. It clearly go to show that the petitioner is permanently and totally incapacitated things for work in the coal fields. The principles of natural justice cannot be examined in with reference to the factual situation arising in the case. It has to be noted that the whole purpose of a disciplinary enquiry is to assess the factual situation. The question is in the factual situation in this case the petitioner as per the medical certificate he is unfit to work in the coal mines. It can be said that there is any need for domestic enquiry would have made any difference? Merely for the sake enquiry it is not necessary to conduct the same as an empty formality. On an analysis of the above factual situation i.e., the petitioner is as per the medical certificate unfit for permanently totally to work in the coal mines. Though the learned counsel for the petitioner contends that there is a violation of principles of natural justice in not conducted the domestic enquiry before terminated him from service, in this case he was terminated on medical grounds unfit for work in the coal mines. Hence, I am not inclined to accept the said contention. The medical certificate itself

clearly shows unfit to work. It is not mandatory to conduct domestic enquiry for the medical unfitness case. Obviously in such circumstances, no purpose would have been served even if a domestic enquiry has been conducted as a matter of fact the conduct of the workman unfit to work leads to the inference as per the medical certificate issued by the medical board within its powers, the respondent terminated the services of the petitioner workman.

35. The petitioner's counsels submission as per the written arguments, the respondent neglected to provide immediate medical treatment. Hence, caused shortening of the leg. For this, the respondent counsel contended that under Ex.M-1 bunch of O.P. tickets clearly go to show that the petitioner was given treatment in the company hospital. Further the respondent counsel argued that the accident was not occurred at the mine, but the accident took place while he was riding the motor cycle and he was also taken treatment at the private hospitals and not within the respondent-corporate hospital. When the petitioner submitted his joining report along with medical fitness certificate under Ex. W1, it is a fake one without date and it was also not marked by examining the concerned doctor. On that the petitioner was sent to the corporate medical board and the corporate medical board after examination declared the petitioner medical unfit to work in the coal mines.

36. Finally the petitioner counsel contended that the petitioner is able to work as pump operator. But for this also, the petitioner did not file any document or anything to prove that he is medically fit to work as pump operator, though the corporate medical board certified that he is permanently and totally unfit to work in the coal mines. But the petitioner suppressed all these facts in the claim statement and he simply stated that he was terminated. But he has not stated the reason why he was terminated from service. As per the documents filed by the respondent the petitioner was terminated after examination by the medical board and declared him unfit to work in the coal mines. So the relief of the petitioner is to be refused as the petitioner not at all come with clean hands or real substance or that there is no substantial possibility of success and that by suppressing the true facts, the petitioner filed this petition with uncleaned hands. In the circumstances of the present case, therefore, I am of the view that the exercise of discretion by this court U/Sec. 11-A of the Act was not judicious and proper. In any considered opinion, the respondent terminated the petitioner on the medical certificate issued by the corporate medical board certifying that the petitioner is permanently and totally unfit to work in the coal mines. From the respondent counsels argument and also petitioner's admission, the petitioner himself voluntarily made an application to declare him unfit to work in the coal mines. On his application only, he was referred to the area hospital and on their advise he was sent to the corporate medical board. The corporate medical board after

thorough examination categorically stated that he is unfit to work in the coal mines and stated to settle the amounts. On that the respondent paid the compensation amount of Rs. 3,00,000 lakhs in lieu of dependent employment along with other terminal benefits. The petitioner after receiving the same and agreed and he was voluntarily abandoned to work in the coal mine. Though the petitioner admitted after receipt of compensation without mentioning in the claim petition, he was terminated on medical unfitness, it is well settled that the petitioner-workman who approaches the court with false plea shall not be entitled to any relief. The petitioner allegations were generally vague, ambiguous and unfounded and not even prima-facie supported by reliable evidence, as per the oral and documentary evidence available on record.

37. For the reasons already stated above that in the present case, the petitioner having accepted a compensation of rupees three lakh and availed the other benefits without protested and accepted himself and voluntarily abandoned the work. Hence, he cannot be allowed to rake-up the controversy at this belated stage without any protest and hence in my opinion he is estopped from challenging the said termination order. The petitioner as per the medical board certificate he is unfit for the employment to work in the coal mine. In my opinion the respondent had been awarded compensation to the petitioner by giving him sum of Rupees Three Lakh compensation and other benefits received by the petitioner without any protest. The order passed by the respondent for termination of the petitioner on the ground of medical unfitness to work in the coal mines cannot be liable to be set-aside as the petitioner himself voluntarily accepted without any protest. Now he cannot raise the controversy by filing this petition by suppressing the true facts.

38. In the circumstances, I do not find any merit in this petition and the same shall be and accordingly dismissed.

In the result, the petition is liable to be dismissed and is accordingly dismissed. But in the circumstances, each party do bear their own costs.

Dictated to the Superintendent, who is co-operating as Steno, transcribed by him and typed by the Typist, corrected and pronounced by me in the open court on this the 7th day of December, 2006.

M. SHANMUGAM, Chairman-Cum-Presiding Officer

Appendix of Evidence

Witnesses-Examined

For workmen:—

— Nil —

For Management:—

— Nil —

Exhibits

For the workman:—

Ex. W-1 dt. 21-1-2002 Fitness certificate issued by Dr. K. Uday Kumar, MBBS, D. Ortho, Mancherial.

Ex. W-2 dt. 3-6-2002 Lr. addressed to the Superintendent, Area Hospital, Ramakrishnapur by Dy. CME/KK-1 Inc. xerox copy.

Ex. W-3 dt. 23-8-2003 Lr. addressed to the Chief Medical Officer, Kothagudem, by Dy. Chief Medical Officer, SCCL, Ramakrishnapur, xerox copy.

Ex. W-4 dt. 25-8-2003 Lr. issued to the Dy. C.M.O., (Admin), Area Hospital RKP by C.M.O., xerox copy.

Ex. W-5 dt. 27-8-2003 Lr. issued to S.O.M., KK-1 Incline by the Dy. C.M.O., Area Hospital, RKP, xerox copy.

Ex. W-6 dt. 19-11-2003 Medical certificate issued by Dr. K. Prasad Simha, Medical Supdt., (Ortho) Kothagudem.

Ex. W-7 dt. 23-12-2003 Termination letter issued to Petitioner.

For Management:—

Ex. M-1 dt. 25-8-2003 Lr. issued to the Dy. C.M.O., (Admin.), Area Hospital, RKP by CMO, xerox copy.

Ex. M-2 dt. 27-8-2003 Lr. issued to the Dy. S.O.M., KK-1 Incline by the Dy. C.M.O., Area Hospital, RKP advising to send the petitioner to corporate Medical board, xerox copy.

Ex. M-3 dt. 9-9-2003 O.C., of ltr. addressed to the Colliery Manager, KK-1 Incline to the General Manager, Mandamarri forwarding application, xerox copy.

Ex. M-4 dt. 20-9-2003 Lr. addressed to the Dy. C.M.O., Area Hospital SRP (RKP) by G.M., Mandamarri.

Ex. M-5 dt. 28-10-2003 Lr. issued by C.M.O., Kothagudem to all the G.M.s., regarding constitution of corporate medical board and date of examination with names of persons to be examined.

Ex. M-6 dt. 10-11-2003 Lr. issued to the Dy. G.M., KK-4 Incline by Personnel Manager, SCCL, Mandamarri.

Ex. M-7 dt. 19-11-2003 O.C., of report of corporate medical board.

Ex. M-8 dt. 23-12-2003 O.C., of termination letter.

Ex. M-9 dt. 29-5-2000 Circular No. P. 40/5911/R/1206 issued by Director (PA&W).

Ex.M-10 dt. 29-9-2001 Circular No. P. 40/5911/IR/2244 issued by G.M. (Personnel), Kothagudem.

Ex.M-11 dt. 29-9-2001 Case sheet of petitioner from the date of his complaining pain in his right leg.

Apperance

Complainant : Absent.

Opponent : Absent

AWARD

1. The Complainant has filed this complaint under section 33A of the Industrial Disputes Act stating that, though he has obtained order of 'status-quo' from Hon'ble High Court of Gujarat by filing Special Civil Application No. 551/93 & Spl. Civil Application No. 1241/93. 'Status-quo' was not maintained by the opponent. So he prayed to take action against the opponent. This was not objected by the opponent by filing a reply.

2. R & P reveals that both the parties were absent on 14-9-2005.

3. This complaint kept before me. Looking to the rozanama it reveals that on 14-9-2005 this complaint was pending for order. So I pass the following order :

ORDER

The complaint is disposed off for want of prosecution. No order as to cost.

A.A. LAD, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1239.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई. ओ. सी. एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय अहमदाबाद के पंचाट (संदर्भ संख्या सीजीआईटी-ए सं. 300/04 तथा ओल्ड क. आई.टी.सी. 3/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-30025/2/2007-आई आर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th April. 2007

S. O. 1239.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947) the Central Government hereby publishes the Award (Ref. No. CGITA No. 300/04) (Old Complaint I.T.C. 3/94) of the Central Government Industrial Tribunal/Labour Court, Ahmedabad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of IOCL and their workman, which was received by the Central Government on 4-4-2007.

[No. L-30025/2/2007-IR (M)]

N.S. BORA, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
AHMEDABAD**

**PRESENT : SHRI A.A. LAD,
PRESIDING OFFICER**

**(Complaint C.G.I.T.A.) No. 300/04
Old Complaint I.T.C. 3/94**

**Ciril Disouza
C/o. Gujarat Mazdoor Panchayat,
Dr. Lohiya Sadan,
Odhav Road, Ahmedabad**

...Complainant

Versus

**Indian Oil Corporation Ltd.,
Gujarat Refinery,
Vadodara.**

...Opponent

का.आ. 1240.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओ एन जी सी लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, सं-2 मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/206/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-30011/33/99-आई आर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th April. 2007

S. O. 1240.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947) the Central Government hereby publishes the Award (Ref. CGIT2/206/1999) of the Central Government Industrial Tribunal/Labour Court, No. 2, Mumbai now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of ONGC Ltd. and their workman, which was received by the Central Government on 4-4-2007.

[No. L-30011/33/99-IR (M)]

N.S. BORA, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2 AT MUMBAI****PRESENT:****A.A. LAD, Presiding Officer****REFERENCE No. CGIT-2/206 OF 1999****Employers in relation to the Management of Oil &
Natural Gas Corporation Limited**

The Regional Director
Oil & Natural Gas Corporation Ltd.,
Vasudhara Bhavan, Bandra (E),
Mumbai 400051.

And**The Workmen**

- (1) The Deputy General Secretary
General Employees Association
Tel Rasayan Bhavan, Tilak Road
Dadar, Mumbai 400014.
- (2) The Secretary General
Petroleum Employees Union
Tel Rasayan Bhavan,
Tilak Road, Dadar,
Mumbai 400014

APPEARANCES:

- For the Employer : Mr. Shiram Patil,
Representative
- For the Workmen (1): Mr. J.H. Sawant,
Advocate.
- For the Workmen (2): Absent.

Date of passing of Award : 15th February, 2007.**AWARD**

1. The Government of India, Ministry of Labour by its Order No. L-30011/33/99/TR(M), dated 10-11-1999/15-11-1999 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of ONGC Ltd., in not considering the demand of Petroleum Emp. Union and General Emp. Association pertaining to pay revision of direct employees contractual workers employed in MRBC, ONGC is legal and justified? If not, what relief the workmen concerned are entitled to?"

"Whether the action of the management of ONGC Ltd., in not considering the demand of both the Unions, i.e. Petroleum Emp. Union and General Emp. Association pertaining to issuance of pay slips to Direct Employees/Contractual Workmen w.e.f. 1-4-97 is legal and justified? If not, what relief the workmen concerned are entitled to?"

"Whether the action of the management of ONGC Ltd., Mumbai in not extending the benefit of Medical Facility to its direct employees/contractual workers

as alleged by Petroleum Emp. Union and General Emp. Association is legal and justified? If not, what relief the workmen concerned are entitled to?"

"Whether the action of the management of ONGC Ltd. in not regularising the services of Casual Labourers working at Helibase is legal and justified as raised by General Emp. Association? If not, what relief the workmen concerned are entitled to?"

"Whether the action of the management of ONGC Limited, Mumbai in not considering to the demand pertaining to accommodation to be provided to Radion Operators/Technicians working at off shore as raised by General Emp. Association and Petroleum Emp. Union is legal and justified? If not, what relief the workmen concerned are entitled to?"

2. To support the sub-matter referred in the schedule, Second Party filed Claim Statement at Ex-6 which is opposed by First Party by filing Written Statement at Ex-17. Issues were framed at Ex-19 and reference was posted for recording evidence. Meanwhile both parties arrived to a settlement and filed purshia Ex-38 stating that, the subject matter is settled out of Court and matter be disposed as they do not was to pursue. This is not objected by the First Party by giving N.O.C. on Ex-38. Even this withdrawal of purshia is filed by Mr. Sawant, appearing for Second Party as well as by General Secretary of the General Employees Association. In view of Ex-38, following order is passed.

ORDER

In view of Ex-38, reference is disposed of, with no order as to cost.

Date: 15/02/2007

A.A. LAD, Presiding Officer

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NO. 2, MUMBAI**

REFERENCE NO. CGIT-2/206 OF 1999

ONGC.

V/s.

Their workmen

Application for disposal of
Reference for want of prosecution

MAY IT PLEASE YOUR HONOUR

General Employees Union representing the workmen hereby apply for disposal of the reference for want of prosecution.

Mumbai

Date 15-2-2007

Sd/-

(D.N. VIDHATE)

General Secretary
General Employees Association

Identified by me
Sd/-
(Jaiprakash Sawant)
Advocate High Court
No Objection
Sd./
(For ONGC)
15-2-07
Order

It is prayed by second party and identified
by Advocate Sawant, Contents are admitted. So it is read
and recorded.

A.A. LAD, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1241.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सानको ट्रान्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोचीन के पंचाट (संदर्भ संख्या आई.डी. -75/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-07 को प्राप्त हुआ था।

[सं. एल 35012/1/99-आई आर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1241.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. I.D. 75/2006) of the Central Government Industrial Tribunal/Labour Court, Cochin now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Sanco Trans Ltd. and their workman, which was received by the Central Government on 4-4-07.

[No. L-35012/1/99-IR (M)]

N. S. BORA, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

PRESENT

Shri P. L. Norbert, B.A., L.L.B., Presiding Officer

Friday the 23rd of March, 2007

I.D. 75/2006

(I.D. 62/99 of Labour Court, Ernakulam)

Workman/Union : The General Secretary
Cochin Port Trust Thozhilali Union
Opp. Ammonium Tank, 24/1652,
Kochi.

Adv. Shri V.R.K. Kaimal

Management : The Manager
Sanco Trans Ltd., Unity Centre
Railway Goods Shed Road
Wellington Island
Kochi-682003.

Adv. Shri C.S. Ullas.

AWARD

This is a reference made by Central Government under Section 10 (1)(d) of Industrial disputes Act, 1947 to this court for adjudication. The reference is :

"Whether Shri Manuel Joseph, Asstt. Manager, whose services have been terminated by the management of M/s. Sanco Trans Ltd. is a workman or not as per ID Act? If so, whether the action of the management of Sanco Trans Ltd. in terminating the services of the Employees, Shri Manuel Joseph, Asstt. Manager w.e.f. 17-8-1998 is justified? If not, to what relief the workman is entitled?"

2. Both the parties entered appearance and filed their pleas. When the matter came up for evidence the counsel for the union sought adjournment as none of the office bearers of the union or the concerned worker was present to tender evidence. The reference was made in 1999. The matter has been pending for the last 8 years. The management and counsel are present and ready. It is reported by the learned counsel for the union that the union office bearers have not contacted the lawyer. There is no point in keeping the case pending indefinitely. In the circumstances I find that there is no subsisting dispute for adjudication.

3. In the result an award is passed finding that the action of the management in terminating the services of Shri Manuel Joseph, Assistant Manager is legal had justified. He is not entitled for any relief. No cost. The award is passed accordingly.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 23rd day of March, 2007.

P. L. NORBERT, Presiding Officer

APPENDIX : NIL

नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1242.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुम्बई पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-II, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/3/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-07 को प्राप्त हुआ था।

[सं. एल-31012/13/2000-आई आर (एम)]

एन. एस. बोरा, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1242.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. CGIT/2/3/2001) of the Central Government Industrial Tribunal/Labour Court, No. II, Mumbai now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Mumbai Port Trust and their workman, which was received by the Central Government on 4-4-07.

(No. L-31012/13/2000-IR (M))
N.S. BORA, Desk Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. II, MUMBAI
PRESENT

A.A. LAD, PRESIDING OFFICER
REFERENCE: CGIT-2/3 of 2001
EMPLOYERS IN RELATION TO THE
MANAGEMENT
OF MUMBAI PORT TRUST

Mumbai Port Trust,
The Chairman,
Mumbai 400 038.

AND

Their workmen

Shri Anil Kumar Laxman Kamble,
Clerk, Gr. II Docks Dept.,
Panchvati Co-op. Hsg. Society,
Building No. A/2, B/K. No. T/9,
Marol Maroshi Road,
Mumbai-400059.

APPEARANCE:

For the Employer : Shri Umesh Nabar, Advocate.
For the Workmen : Mr. Jaiprakash Sawant,
Advocate.

Date of reserving Award: 13th June, 2006

Date of passing of Award: 27th June, 2006

AWARD PART-III

The Government of India, Ministry of Labour by its Order No. L-31012/13/2000/IR(M) dated 8th January, 2001 in exercise of the powers conferred by clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of MPT Mumbai in terminating the services of Shri. Anil Kumar Laxman Kamble, Clerk Gr. II by way of removal from service w.e.f. 20-9-1999 is legal and justified. If not, what relief the workman is entitled to?"

2. Anil Kumar Laxman Kamble was appointed as a tally Clerk in the Management Mumbai Port Trust, in the

year 1983 and was promoted as Clerk Grade II in 1990. Vide Statement of Claim (Exhibit 7) workman averred that on 1-10-1992 he was issued a show cause memo alleging the missing bills of lading at CDOD which he replied on 3rd October, 1992. However, he was issued a charge sheet dated 13-1-1997 on the basis of the said show cause memo alleging during 1992-93 when he was posted at Central Documentation office, Indira Dock was given Counters Nos. 2, 3 and 4 to sort and dispatch bills without delay to the manifest clerk concerned, handing to the vessels and that he had received bills of lading but failed to dispatch them to the manifest clerks as he had lost them and further alleging that he was absent from duty on 29th September, 1993 and 30th September, 1993 and hence was marked absent against his serial number in the muster however on 1-10-1993 he reported for duty and signed the muster as usual and also signed as present against his name on both the previous days which amounts to misconduct under Regulation 3 of the MBPT Employees (Conduct) Regulations 1997. It is pleaded that the workman had replied the said charge sheet on 5th February, 1997 refuting the allegations, however, the management held departmental inquiry against him and that the Inquiry Officer vide report dated 28th July, 1998 found him guilty for the charges. It is averred by the workman that he had not committed any misconduct and that order of removal from service w.e.f. 20.9.1999 is very harsh and disproportionate. He, therefore, contended that, removal order be set aside, directing the management to reinstate him in service with back wages.

3. Management MPT resisted the claim of workman by filing Written Statement at Exhibit 8 contending that the inquiry was fair and proper and that findings are not perverse. It is contended that the workman while posted in the Central Documentation Office, Indira Dock failed to dispatch bills of lading received by him as the same were lost while in his custody and that he forcible signed the muster roll though he was absent on earlier two days and that after preliminary investigation workman was charge sheeted for the acts of misconduct. It is averred that the workman was responsible for loss of bills and for forging and fabricating the records. It is averred that, the punishment imposed is proportionate to the proved charges and that the inquiry being fair and the findings based on record, the claim of the workman be dismissed in limine.

4. By virtue of Part I Award my Ld Predecessor permitted and directed 1st Party to prove the charges leveled against the 2nd Party Workman holding enquiry not fair and proper and finding perverse. The Management led evidence by filing affidavit of R. N. Shaikh at Exhibit 22 who was cross-examined by 2nd Party's Advocate. On that 2nd Party also examined himself at Exhibit 32 in the form of an affidavit and was cross-examined by 1st Party's Advocate. Written submissions were given by Advocate for 2nd Party at Exhibit 34. Heard 1st Party's Advocate on the point of punishment.

5. After going through the case made out by both, my Ld. Predecessor framed issues at Exhibit 10. Out of those Issue Nos. 1 and 2 were decided against Management on the point of inquiry and its findings which were framed as preliminary Issues. As stated above 1st Party was permitted to prove the charges leveled against Second Party Workman. Now Issue Nos. 3 to 5 are to be decided framed at Exhibit 10, which I answer as follows:

Issues	Findings
3. Whether Shri Anil Kumar Laxman Kamble proves that he has been illegally removed from service w.e.f. 20-9-1999?	Yes
4. Whether the action of the management of MPT Munika in terminating the services of Shri Anil Kumar Laxman Kamble Clerk, Gr. II by way of removal from service w.e.f. 20-9-1999 is legal and justified?	No
5. What relief, the workman is entitled to?	As per order

below.

REASONS:

Issues Nos. 3 & 4:

6. This is the second round of litigation. In fact third round, as first round took place before this Tribunal on the fairness of the enquiry and perversity of the finding. It was answered in favour of Workman. Second round took place before the Hon'ble High Court where Order of the Tribunal was challenged and there confirmed. This is third round of litigation in which 1st Party has to prove whether the punishment given of termination is adequate on the basis of the charges proved against the Second Party Workman?

7. The opportunity was given to the 1st Party is utilized by it by examined R. N. Shaikh in the form of an affidavit at Exhibit 22. Said Shaikh narrated history of employment of the 2nd Party Workman and states how he was employed and what he did and what work was assigned to him. It is stated that, recording work of receiving Landing Bills was with 2nd Party Workman and it was alleged that 34 Bills of Landing were found missing during the tenure of the 2nd Party Workman. Besides it is alleged that though he was absent on 29th and 30th September, 1993 he signed for presence of it on next day and fabricated muster roll. Besides it was alleged that, he was missing from place of his work on 23rd September, 1992 from 9.30 a.m. to 12 noon. These allegations are denied by 2nd Party Workman and in the reply to these allegations, he try to rely on the documents by filing those at Exhibit 24 to 29.

8. If we peruse evidence led by 1st Party in this third round of litigation, we find, no much light is thrown by the witness of the 1st Party to justify the action of termination on the ground of missing of Landing Bills, on the ground

of missing from the place of work on 23rd September, 1992 and signing muster on the next day regarding his alleged absensee on 29th and 30th September, 1993. As these allegations are denied by the 2nd Party, definitely burden shifts on 1st Party to prove that, the charges leveled against 2nd Party workman are proved and are sufficient to give punishment of dismissal which is tantamount in case of labourers. By said order full stop comes to the employment of the concerned workman and he stops his earnings as well as it cuts his relations with the employers. So definitely severe punishment like life imprisonment or death punishment, under Section 302 of Indian Penal Code is treated as a capital punishment in criminal cases. Punishment awarded to 2nd Party Workman of dismissal is also a capital punishment to his career and to his employment.

9. So we have to see whether punishment awarded of dismissal is just and proper in the background of so called charges proved against 2nd Party Workman.

10. It is a matter of record that, allegations of missing of Bills of Landing were leveled against 2nd Party Workman. It is a incident of long back in the year 1992 i.e. more precisely it took place in October, 1992. It is pertinent to note that, the 2nd Party Workman replied to it by filing his reply dated 3rd October, 1992 as well as on 5-2-1997 regarding missing of Landing Bills. Even Police case appears to have been filed against 2nd Party Workman and his statement was recorded by the Police on 24th December, 1992. So all that incident is of the year 1992 and it is pertinent to note that enquiry is initiated against these allegations in the year 1997. So definitely there is inordinate delay in proceeding against 2nd Party Workman against such charges. Said delay permits 2nd Party Workman to presume that, the explanation admittedly which is given by him against alleged charges might have been accepted by the 1st Party and It might have been ignored the charges since satisfied. It also gives impression to 2nd Party, first Party might have decided not to proceed against 2nd Party regarding said charges. However, fact is that the enquiry was initiated by the 1st Party in the year 1997 regarding charges of 1992 reveals that, 1st Party was not happy with the explanation given by 2nd Party and even was prosecuted by filing criminal case against 2nd Party Workman. It is not made known to this Tribunal, what happened to that Criminal case. However, definitely it is a matter of record that, 2nd Party Workman was not convicted regarding these missing of missing of landing bills against which complaint was filed and criminal case was registered against 2nd Party Workman. When all these things happened and admittedly were within the knowledge of the 1st Party then definitely it gives impression as well as it gives signal that, 1st Party might have decided to adopt policy of pick and choose and decided to proceed against 2nd Party Workman regarding these charges. However, the enquiry initiated in the year 1997 i.e. after about 5 years

reveals that, management or 1st Party decided to act with plan and decided to proceed against 2nd Party Workman with some malafides.

11. My 1st Predecessor observed enquiry not fair and proper and finding perverse. The said decision was upheld by the Hon'ble High Court. In this situation we have to see whether charges are proved by 1st Party on the basis of evidence which is on record and whether it substantiate the action of the 1st Party of termination?

12. Here we have to consider the stand taken by the 2nd Party Workman who contains that, he alone cannot be held responsible for missing of the Landing Bills. From the Police statement, produced by the 2nd Party Workman at Exhibit 23/5A, we find that, in the said statement 2nd Party Workman, has given explanation in what manner the Landing Bills were accepted and how those were kept and what is the procedure in locking the cup-boards, keeping key in drawers and leaving work place. It is a matter of record that, 2nd Party alone was not working there. Besides it is not proved by the 1st Party that, 2nd Party was only responsible for the missing of the said Landing Bills. Moreover it is not appointed out in what manner it caused loss to the 1st Party and what loss occurred to the 1st Party due to the alleged negligence committed by the 2nd Party Workman by so-called missing of the Landing Bills? No any specific case is made out by 1st Party to establish that, due to the negligence of the 2nd Party Workman or by missing of alleged Landing Bills, 1st Party received such and loss and was defamed or looser in the business. No case is made out of any type. Besides regarding change of missing from the work place as explained in his reply, at Exhibit 27, he states that, he was not missing from work which is alleged to have occurred on 23rd September, 1992 and states that, he was in the office itself. Regarding that no specific case is made out by the 1st Party and it proved to observe that, 2nd Party was found missing in between 9.30 a.m. to 12 noon on 23rd September, 1992. As far as absence on 29th and 30th September, 1993 and signing muster on the next day i.e. on 1st October, 1993 is concerned, we find that, for it punishment of dismissal is snocking and disproportionate. Merely because he signed or, the next day that too for 2 days' absence, does not permit in normal course to award punishment of dismissal. All those allegations are of 1992 and 1993 which cannot be ignored. Besides these allegations, no other serious charges appears to have been leveled against 2nd Party Workman. No case of bad service record is made out by the first Party nor it is pleaded. The only charges of absence on 29th & 30th September, 1993 and missing from the work place on 23rd September, 1992 have been alleged. It is pertinent to note that, enquiry is held in 1997 that too after 5 years from the so-called misconduct of the 2nd Party Workman of 1992-1993 is worth to consider. Besides it is not established by 1st Party by cogent and sufficient evidence to hold and observe that, the Second Party was only responsible person

for missing of the Landing Bills as leveled in this reference. When 1st Party is unable to establish the charges leveled against the 2nd Party Workman though it got an opportunity to lead evidence in the field of investigation I am of the view that 1st Party lost that opportunity also.

13. In this situation question arises whether for such things, capital punishment called in terms of dismissal is just and proper? In my considered view, definitely the punishment awarded on 2nd Party Workman of dismissal, that too regarding alleged charges of 1992-93 by holding enquiry in 1997, appears that grounds have been created by the 1st Party just to victimise the 2nd Party Workman. It is not the case of the 1st Party that, he is habitual person and have not shown any improvement in his work. As stated no case of bad record is made out by 1st Party. The contrary theory adopted by the 1st Party is that, it just adopted charges and started enquiry to punish 2nd Party Workman just to book him, to involve him in the enquiry and create ground to take disciplinary action of dismissal. According to me that, liberty which 1st Party has taken, is absolutely sign of revengeful attitude which must be considered at this stage. The incident of 1992-93 which are considered by 1st Party as per its convenience to punish 2nd Party in 1997 which lead to conclude that, 1st Party decided to proceed against 2nd Party to take such an action of dismissal.

14. It is a matter of record that, since the termination, 2nd Party is not in the employment of anybody. He has stated that, he is depending for the income of his wife. As far as his economic problem is concerned, evidence led by him does not prove that, he was very much affected by the order of termination. On the contrary, he has made out any specific case regarding his economic condition suffered after his termination. On the contrary he has made out a case with the help of his wife's statement that, she was suffering with the loss of her husband's income.

15. If we consider the termination order made out by both, I conclude that, the termination order the challenge effected by 1st Party on the 2nd Party Workman dated 20th September, 1999 is not just and proper and it is not proportionate in the light of charges leveled and proved against the 2nd Party Workman. So I answer these issues to that effect and conclude that, termination or removal of the 2nd Party Workman from the services with effect from 20th September, 1999 require to be set aside.

16. As far as back wages are concerned, as stated above no specific case is made out by 2nd Party Workman. Still the evidence discussed above that, the loss is called alleged committed by 1st Party is insufficient to conclude that, management or 1st Party was not just and proper. So we have to consider that, 2nd Party was wrongly removed. In this background, I consider him in the employment for his increment benefit and pass the following order:

ORDER

- (a) Reference is party allowed;
- (b) 1st Party is directed to reinstate the 2nd Party Workman Anil Kumar Laxman Kambli on his post of Clerk Grade II and give monetary benefits of his increments from the date of his termination till he resumes on duty presuming he was in the employment;
- (c) prayer of the 2nd Party Workman to give him back wages is turned down;
- (d) In the circumstances there is no order as to its costs.

Mumbai,

27th June, 2006.

A. A. LAD, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1243.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार राष्ट्रीय केमिकल्स और फर्टीलाइजर्स लिमिटेड के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 मुम्बई के पंचाट (संदर्भ संख्या 28/06) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-07 को प्राप्त हुआ था।

[सं. एल-42012/318/2003-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1243.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 28/2006) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Mumbai as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Rashtriya Chemicals and Fertilizers Limited and their workman, which was received by the Central Government on 4-4-07.

[No. L-42012/318/2003-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 MUMBAI****PRESENT**

Justice Ghanshyam Dass, Presiding Officer

Reference No. CGIT/28 of 2006

Parties : Employers in relation to the management of Rashtriya Chemicals and Fertilizers Ltd.
And
Their Workmen

APPEARANCES:

For the Management : Absent
For the Union : Absent
State : Maharashtra
Mumbai dated the 13th day of March, 2007

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act 1947 (the Act for short) vide Government of India, Ministry of Labour, New Delhi Order No. L-42012/318/2003-IR (C-II) dated 5-9-2006. The terms of reference given in the schedule are as follows :

- (i) "Whether the contract between Rashtriya Chemicals and Fertilizers Limited, Mumbai and M/s. Rahul Decorators, M/s. M.M. Patil, M/s. J.R. Mhatre and M/s. J.J. Bhenkar are sham and bogus and are a camouflage to deprive the concerned contract employees of the benefits available to permanent workmen of the Rashtriya Chemicals and Fertilizers Limited?"
- (ii) "Whether the employees, as per list enclosed, should be declared as permanent workers of M/s. Rashtriya Chemicals and Fertilizers Limited?"
- (iii) "What are the wages and consequential benefits to be paid to these employees?"

2. The matter came up for hearing today. None appears to contest the reference nor anybody has filed the statement of claim so far despite the service of the notices issued by the Office of the Tribunal. The matter is lingering on since 27-10-2006 when the first notice was served upon General Employees Association, Tel Rasayan Bhavan, Dadar, Mumbai-14; but the Association did not appear either to file the statement of claim or make any request till today for time to file the same. Hence, I have no option but to dismiss the reference for non-prosecution.

3. The reference is accordingly dismissed.

4. An Award is made accordingly.

JUSTICE GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 4 अप्रैल, 2007

का.आ. 1244.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू. सी. एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नागपुर के पंचाट (संदर्भ संख्या 108/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-07 को प्राप्त हुआ था।

[सं. एल-22012/214/1997-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 4th April, 2007

S. O. 1244.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.108/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers, in relation to the management of WCL, and their workman, which was received by the Central Government on 4-4-2007.

[No. L-22012/214/1997-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI A. N. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/108/2000 Date: 29-3-2007

Petitioner : Shri Charandas S/o Latari Darekar,

Party No. 1 R/o. Gowari, Tah. Rajura, Dist.
Chandrapur.

Versus

Respondent : The Sub Area Manager, W. C. L. Sasti

Party No. 2 Sub Area, PO. Sasti, Tah. Rajura, Dist.
Chandrapur.

AWARD

Dated: 26th March, 2007

1. The Central Government after satisfying the existence of disputes between Shri Charandas S/o Latari Darekar, R/o. Gowari, Tah. Rajura, Dist. Chandrapur [M.S.] Party No. 1 and Sub Area Manager, W.C.L. Sasti Sub Area, PO. Sasti, Tah. Rajura, Dist. Chandrapur Party No. 2 referred the same for adjudication to this Tribunal vide its Letter No. L-22012/214/97-IR(CM-II) Dt. 19-8-1998 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 [14 of 1947] with the following schedule.

2. "Whether the action of the Management Sub Area Manager, M/s. WCL, Sasti, Distt. Chandrapur in not reinstating a contract labour namely Sh. Charan Das Latari Darekar is legal, proper and justified? If not, to what relief the workman is entitled and from which date? What other directions are necessary in the matter?"

3. The Petitioner Shri Charan Das Latari Darekar has raised the dispute alleging that his termination was illegal. He ought to have been retrenched if the work was not available on paying the compensation. Similarly according to him it was also necessary for the management to reinstate him and since it failed to reinstate he has raised the dispute. On failure of the conciliation before ALC the present claim has been referred for adjudication to this Tribunal.

4. He has approached with the contention that he joined the service of the WCL Ballarpur Area at Sasti open caste as a store Mazdoor through the contractor Shri Ramsevak Tiwari and worked continuously from May 1994 to August 1996. Initially he was paid Rs. 35 per day and later on it was increased to Rs. 40 per day. His services were terminated from 19-8-1996 without any notice, retrenchment compensation or the notice pay etc. According to him his termination is illegal and not justified. He was working against the permanent post as a store Mazdoor having duties to carry the store materials by truck from Durgapur and Majri Area to fill the diesel in diesel pump, attend the store delivery and supplies, perform loading and unloading of oil barrels. He has completed 240 days in one calendar year preceding his termination and he is entitled for regularization. Thus according to him the action of the management is illegal. He has prayed for reinstatement.

5. As against this the management appeared and resisted the claim saying that he was never appointed by the Western Coalfields Ltd., he never worked with them, they have regular appointment employees for the work connected with the stores according to it even the muster roll produced by them have no concern with it. It might have been even fabricated, and therefore, they have prayed to reject the petition.

6. Both the parties have adduced the evidence, the petitioner could not be cross-examined on behalf of the management nor the management witness though examined was not cross-examined by the petitioner due to their absence at the relevant time. The material of evidence and document indicates that there are permanent employees engaged from 1985 by the management for performing the work of the store, they have submitted the list of those workers along with their appointment orders etc. So far as the petitioner is concerned it seems that some Xerox copies of muster role are produced but they are not of the W.C.L. and they are also not originals. In fact they are not at all reliable. There is nothing to show that the petitioner was continuously working as alleged by him with the management and he was paid by it. Not a single document is produced to show that the payment was made by the W.C.L. or Respondent to him on any occasion. Similarly the contractor is not a party nor is examined as witness on behalf of the petitioner disclosing the exact position. In my opinion there is no evidence to conclude or to prove that the petitioner had worked as a casual labour with the management Respondent No. 1. It is difficult to understand as to how relations as employer and workman was existing between them. In my opinion the petitioner is not entitled for any relief and the reference deserves to be rejected. Accordingly the reference stands as dismissed.

Hence this award.

Dated: 28-3-2007

A. N. YADAV, Presiding Officer

नई दिल्ली, 5 अप्रैल, 2007

का.आ. 1245.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू. सी. एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नागपुर के पंचाट (संदर्भ संख्या 241/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-4-07 को प्राप्त हुआ था।

[सं. एल-22012/364/1999-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 5th April, 2007

S. O. 1245.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.241/2000) of the Central Government Industrial Tribunal cum Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 05-04-2007.

[No.L-22012/364/1999-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI A. N. YADAV PRESIDING OFFICER
THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, NAGPUR**

Case NO. CGIT/NGP/214/2000 Date: 28-3-2007

Petitioner : Smt. Lilabai Wd/o Manthani Lachhama,

Party No. 1 : Through the General Secretary, Koyala Shramik Sabha (HMS), (Jz. WNA, Ward No. 18, Wani, Tah. Wani, Dist. Yavatmal (M.S.)

Versus

Respondent : The Sub Area Manager, New Majri

Party No. 2 Underground Sub Area of WCL, PO. Shivjinagar, Dist. Chandrapur

AWARD

[Dated : 28th March 2007]

1. The Central Government after satisfying the existence of disputes between Smt. Lilabai Wd/o Manthani Lachhama, Through The General Secretary, Koyala Shramik Sabha (HMS), (Jz. WNA, Ward No. 18, Wani, Tah. Wani, Dist. Yavatmal (M.S.) Party No.1 and Sub Area Manager, New Majri Underground Sub Area of WCL, PO. Shivjinagar, Dist. Chandrapur Party No.2 referred the same for adjudication to this Tribunal vide its Letter No. L-22012/364/99/IR(CM-II) Dt. 04-08-2000 under clause (d) of sub section (1) and sub Section (2A) of Section 10 of Industrial Dispute Act, 1947 [14 of 1947] with the following schedule.

2. "Whether the action of the Management namely New Majri U/G Sub Area of WCL, PO: Shivjinagar, Distt.

Chandrapur in not providing employment to Smt. Lilabai as- dependent of Late Manthani Lachhama is legal, proper and justified? If not, to what relief the workman is entitled and from what date? What other directions are necessary in the matter".

3. The petitioner Smt. Lilabai wife of deceased Manthani Lachhama has raised this dispute through the General Secretary, Koyala Shramik Sangh praying to direct the Sub Area Manager, New Majri Underground, Sub Area, W.C.L. to provide a service to her on a compassionate ground after the death of her husband. It is her case that her husband who was working as a tub loader under ground w.e.f. 03-04-1972 till 14-10-1982. The management accepted his so-called resignation Dt. 09-10-1982 without making any proper inquiry, he was not keeping a good health and was unable to work underground despite of his request for the light work, the management failed to provide it. It did not response to his demand and finally he had tendered his conditional resignation under an application Dt. 09-10-1982 on the ground of ill-health. The management without calling medical certificate etc. accepted it. Finally on 10-11-1983 within a period of one year he expired. It is contended that the petitioner Smt. Lilabai being legally wedded wife of deceased Mathani is entitled for the concession and privilege within the frame work of item No.4 of Schedule II of Industrial Disputes Act. According to her she is entitled for the appointment on compassionate ground.

4. She being illiterate lady could not apply in time and finally the union raised her disputes before A.L.C. in the year 1988 and on failure of conciliation proceedings the ALC sent the report to the Central Government i.e. Ministry of Labour who had referred this matter.

5. The management by filing its Written Statement resisted the claim of petitioner on the various grounds. According to it she was neither workman nor the member of any union. Therefore, the union is not at all entitled to raise the dispute and there are no relations as workman and employer between her and the management, the claim is not maintainable. The management in the alternatively has made a submissions on the point of merits also claiming that she is not at all entitled because her husband had resigned and his death occurred when he was not in service. He had never applied for light work and there is no question of any appointment on compassionate ground. The management has also raised the objection regarding delay in filing the petition which comes more than 15 years.

6. In order to prove their respective claims the petitioner examined herself and 3 more witnesses. While the management has filed the Affidavit of one clerk who was working on P.F. Section and a Sub Area Manager Shri Ramesh Bharadwaj. The counsels have also filed the Written Notes of Arguments besides their document. The documents consist of Resignation Letter and other

documents like Withdrawal of Gratuity, Provident Fund and other amount to which the deceased workman was entitled to.

7. I have gone through the record as well as the evidence of both the parties and the documents, undisputedly the petitioner Smt. Lilabai the widow of the deceased Mathai Lachhama is not the member of any associations who has raised the disputes. It is not at all entitled to represent the petitioner Smt. Lilabai. Similarly she is not a workman working under the W.C.L. and therefore the relationship as a employer and workman does not exist between the management and petitioner. No doubt a wife can claim a service on Compassionate Ground in certain cases. The most important and foremost conditions is that the worker should have expired when he is in service or he has to obtain their retirement on a medical ground. It is his responsibility to show that he was unfit to do the work as alleged by him and with the support of necessary medical certificates he had to apply for retirement etc. Here the petitioner has plainly resigned under a letter Dt. 09-10-1982. His resignation was accepted on 14-10-1982. The petitioner expired on 10-11-1983 i.e. after about 13 months from the resignation. Though it is submitted on behalf of the petitioner that he had applied for light work and he had a problem in underground working there is nothing on record to prove it. He had never applied for light work at any time. Moreover nobody can claim a light work as of right on any ground, nor the management is under obligation to provide it. The National Coal Agreement has not provisions regarding it. Similarly he had applied for getting the benefits after his resignation. He had applied for getting provident fund and other amount for which he was entitled as per letter of the management. Either the petitioner herself or during the lifetime her husband workman had never applied to the Western Coalfields Ltd. for compassionate ground. Though on behalf of the petitioner it is alleged that the resignation was conditional it has no meaning the letter Dt. 09-10-1982 does not disclose any of the condition. Only by mentioning that he has ill-health will not suffice to entitle his wife for service on compassionate ground. It was to be supported by medical certificate. Undisputedly no certificates were produced by deceased. On the contrary the counsel for the petitioner submits that the management did not make an enquiry regarding his health by calling any medical certificate. It was not at all necessary for the management.

8. The petitioner before 1998 had never applied for any service and as dispute was raised with the help of union after more than 15 years, An attempt has been made to show that due to the illiteracy and poverty she could not approached earlier to the management as well as to the A.L.C. But this cannot be justified the 15 years delay. Moreover, as the husband of the petitioner was not in service at the time of his death the petitioner is not at all entitled for the service on compassionate ground. In the

result there is no substance in the claim and it deserves to be dismissed. Accordingly, I answer the dispute that the petitioner is not entitled for the benefit as claimed by her. The reference stands as dismissed.

Hence this award.

Dated: 28-03-2007

A. N. YADAV, Presiding Officer

नई दिल्ली, 9 अप्रैल, 2007

का.आ. 1246.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार कस्टम एन्ड सेन्ट्रल एक्साईज डिपार्टमेंट के प्रबंधन के संबद्ध निस्तेजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 चण्डीगढ़ के संघट (संदर्भ संख्या 57/2000) को प्रकटित करती है, जो केन्द्रीय सरकार को 9-4-07 को प्राप्त हुआ था।

[सं. एल-42012/154/2005—अर्ज और (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S. O. 1246.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 57/2000 of the Cent. Govt. Indus. Tribunal-cum-Labour Court No 1, Chandigarh as shown in the Annexure, in the industrial dispute between the management of Custom and Central Excise Department, Custom and Central Excise Department, and their workmen, received by the Central Government on 09-04-2007

[No. L-42012/154/2005-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH

Case NO. I.D. 57/2000

Sh. Daya Shankar Pandey son of Hari Parashad Pandey C/O. Gen. Secretary, All Employees Trade Union Federation Punjab, House No. 44, Street No 1, Gurbax Colony, Patiala (Punjab)

Applicant

Versus

1 The Chief Commissioner, Custom and Central Excise Department, Plot No 19, Sector-17 -C, Chandigarh
2. The Deputy Commissioner, Custom and Central Excise Department, Baradari, Patiala (Punjab).

Respondent

APPEARANCES

For the workmen : None

For the management : Sh. Sanjay Goel with shri M.P. Goel.

AWARD

Passed on 20-3-2007

Central Govt. vide notification No. L-40012/154/2005/IR (CM-II) dated 26-9-06 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of the Custom and Central Excise Department, Patiala in termination the services of Sh. Daya Shankar Pandey w.e. f. 13-8-04 is legal and justified? If not, to what relief the workman is entitled to and from which date?"

2. Case repeatedly called. None appeared on behalf of workman, Shri Sanjay Gocl. AR of the management submitted that workman is not interested as he is not appearing to persue his case and not filing any claim statement. Notices issued to the workman on the only address of the workman as mentioned in the reference for 7-11-06, 18-12-06, 12-1-07, 20-2-07 and for today i.e. 20-3-07 received back with the report of the postal authorities (left without address). He appears to the gainfully employed and no useful purpose will be served in keeping this case pending. In view of the above, it appears the workman is not interested to pursue with the reference any further, therefore, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh, 20-3-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 9 अप्रैल, 2007

का.आ. 1247.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 149/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-4-07 को प्राप्त हुआ था।

[सं. एल-22012/407/1999-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S. O. 1247.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 149/2000) of the Central Govt. Indus. Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of FCI and their workmen, which was received by the Central Government on 9-04-2007

[No. L-22012/407/1999-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH.

Case No I. D 149/2000

Sh. Amrik Singh S/o Sh. Kunan Singh, Village-Bhangua, P.O. Kotla Gujra, Amritsar (Punjab)

...Applicant

Versus

The Distt Manager, Food Corporation of India, 86, Rani Ka Bagh, Amritsar, (Punjab)

...Respondent

APPEARANCES:

For the workmen None

For the management Sh. N. K. Zakhmi

AWARD

Passed on 8-2-2007

Central Govt. vide notification No. L-22012/407/99-IR (C.M.II) 7-3-2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Food Corporation of India, Amritsar in terminating the services of Sh. Amrik Singh S/o Sh. Kunan Singh w.e.f. 01-01-1997 without paying him retrenchment compensation is legal and justified? If not, to what relief the concerned workman is entitled and from which date?"

2. None has put up appearance on behalf of the workman despite registered notice to the workman. For the last several dates the workman or his advocate is not appearing. It appears that workman is not interested to persue with the present reference as he is not appearing for the last several dates. In view of the above the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh, 8-2-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 9 अप्रैल, 2007

का.आ. 1248.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 4/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-12012/321/95-आई आर (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S. O. 1248.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (No. Ref. 4/97) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relations to the management of Punjab National Bank and their workmen, which was received by the Central Government on 04-04-2007

[No. L-12012/321/95-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

No. CGIT/LC/R/4/97

SHRI C. M. SINGH, Presiding Officer

Shri R.S. Das,
Zonal Secretary,
P.N.B. Employees Association,
Nagpur Road,
Jabalpur (MP)

.....Workman/Union

Versus

The Regional Manager,
Punjab National Bank,
R.O. 124, Napier Town,
Jabalpur

.....Management

AWARD

Passed on this 22nd day of March, 2007

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/321/95-IR (B-2) dated 30-12-96 has referred the following dispute for adjudication by this tribunal :—

"Whether the action of the management of Punjab National Bank, Jabalpur (MP) in reducing the pay scale of Shri Ikbal Singh, Armed Guard, PNB, Nagpur Road Branch, Jabalpur from Rs. 1160 to 1050 vide their order dated 9-5-95 and making recovery vide order dated 13-3-92 from his pay is legal and justified? If not, to what relief is the said workman entitled?"

2. After the reference order was received, it was duly registered on 6-1-97 and notices were issued to the parties to file their respective statements of claim. Order dated 14-3-07 passed by this tribunal reveals that notices were issued to both the parties by registered AD post and thereafter under certificate of posting and inspite of sufficient service of notice, no one put in appearance for the parties. Under the above circumstances, this tribunal was left with no option but to close the reference for award and consequently the reference was closed for award.

3. It appears from the above that the parties are not interested in the reference which clearly indicates that perhaps no dispute is left between the parties and therefore they are not interested in the reference. Under the circumstances, it would be just to pass no dispute award. Consequently no dispute award is passed without any order as to costs.

4. Copy of the award be sent to the Govt. of India, Ministry of Labour as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 9 अप्रैल, 2007

का.अ. 1249.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब व सिंध बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद, में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 चंडीगढ़ के पंचाट (संकेत संख्या 85/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-12012/302/95-आई.आर. (बी-II)]

राजिंदर कुमार, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S. O. 1249.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Reference No. 85/97) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1 Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Punjab & Sind Bank and their workmen, which was received by the Central Government on 04-04-2007

[No. L-12012/302/95-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1
CHANDIGARH

Case No. I.D. 85/97

Sh Gurvinderjit Singh, House No. 3214/3, Sector 44-D
Chandigarh

.....Applicant

VERSUS

The Zonal Manager, Punjab and Sind Bank, Zonal
Office, Faridkot (Pb.)

.....Respondent

APPEARANCES:

For the workmen : None

For the management : Sh. J.S. Sathi

AWARD

Passed on 5-1-2007

Central Government *vide* notification No.L 12012/302/95/IR (B. II) dated 3-1-97 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Punjab and Sind Bank in terminating the services of Sh. Gurvinder Jit Singh clerk-cum-cashier w.e.f. 14-1-94 is legal and justified? If not, to what relief the concerned workman is entitled and from what date?"

2. None appeared on behalf of the workman. It is already 2.30 PM. Shri J.S. Sathi submitted that in this case workman is not appeared at all. Workman has filed his claim statement through Shri G.S. Bal, Advocate and Shri Bipan Sharma and thereafter never appeared. Claim statement has been filed on 15-9-1999 and thereafter management filed written statement on 4-10-2001 along with documents. Thereafter workman never appeared nor filed his rejoinder and affidavit. Sometime his advocate appeared but did not filed rejoinder and affidavit in evidence. Ultimately the management filed an application for disposal of the reference as workman is not appeared nor filing his affidavit. He also submitted that as per documents filed by the management in the court there is one letter of request dated 30-9-94 from the wife Devender Kaur of the workman who requested the bank to reconsider the acceptance of resignation and kept in abeyance till workman is found out. It is submitted that whereabouts of the workman are not known to his wife and relative.

3. He submitted that in the circumstances as workman is not appearing nor filing affidavit in evidence and not traceable to the relatives of the workman and advocate of the workman is not coming and only claim statement has been filed by the workman on 15-9-1999, no useful purpose will be served in keeping this case pending.

4. I have gone through the file. None is appearing on behalf of the workman despite court notices issued to the workman and clerk of the advocate is present who submitted that there is no instructions and court may pass appropriate orders.

5. In view of the above, since none is appearing on behalf of the workman, I agree with the submission of the learned advocate of the management that no useful purpose will be served in keeping this case pending, the present reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh

5-1-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 9 अप्रैल, 2007

का.आ. 1250.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स एन.जी. जोशी क्लीयरिंग एण्ड फारवार्डिंग एजेंट्स प्रा. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, मुम्बई के पंचाट (संदर्भ संख्या 13/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-07 को प्राप्त हुआ था।

[सं. एल-31011/14/2005-आई आर (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S. O. 1250.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 13/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Mumbai as shown in the Annexure, in the industrial dispute between the management of M/s. N.G. Joshi Clearing & Forwarding Agents Pvt. Ltd. and their workmen, received by the Central Government on 4-4-2007.

[No. L-31011/14/2005-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT

Justice Ghanashyam Dass,
Presiding Officer

Reference No. CGIT-13 of 2006

Parties : Employers in relation to the management of M/s. N.G. Joshi Clearing and Forwarding Agents Pvt. Ltd.

And

Their Workmen

APPEARANCES

For the Management : Absent

For the Union : Absent

State : Maharashtra

Mumbai dated the 7th day of March, 2007

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 of Section 10 of the Industrial Disputes Act 1947 (the Act for short) *vide* Government of India, Ministry of Labour, New Delhi Order No. L-31/11/14/2005-IR (B-II)

dated 17/5/2006. The terms of reference given in the schedule are as follows :

"Whether the action of the management of M/s N.G. Joshi, Clearing and Forwarding Agents Pvt. Ltd., Mumbai by orally terminating the services of Shri Madan Kumar Rajbhar, Custom Dock Clerk w.e.f. 19-3-2005 is justified? If not what relief, Shri Madan Kumar Rajbhar is entitled to?"

2. The matter came up for hearing today. The perusal of the record goes to show that the case was fixed for hearing on 31-1-2007. On that date both the parties were absent with the result the order was passed to issue notice to both the parties fixing 7-3-2007 for hearing. The notice sent by registered post to the General Secretary, Bhartiya Navik Sena Union 63, Poddar Chambers, 3rd Floor S.A. Brielvi Road, Mumbai-400001 has been served personally, but still none appeared to press the instant reference. The registered notice issued to the Director, M/s. N.G. Joshi Clearing and Forwarding Agents Pvt. Ltd. 502, Joshi Chambers, Ahmedabad Street, Carnac Bounder, Masjid (E), Mumbai-400009 has been received back with the endorsement "Refused" which amounts to sufficient service in the eye of law. None appears for the Employer also.

3. In view of the above, I have no other option but to dismiss the reference for want of prosecution. The reference is accordingly dismissed.

4. An Award is made accordingly.

JUSTICE GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 9 अप्रैल, 2007

सर.अ. 1251.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अथ न्यायालय, अर्नाकुलम के पंचाट (संदर्भ संख्या 150/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-12011/126/2001-आई आर (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S. O. 1251.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. 150/2006 of the Central Government Industrial Tribunal-cum-Labour Court, Ernakulam as shown in the Annexure, in the industrial dispute between the management of Punjab National Bank and their workmen, received by the Central Government on 4-4-2007.

[No. L-12011/126/2001-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT, ERNAKULAM

PRESENT:

Shri P.L. Norbert, B.A., L.L.B., Presiding Officer

(Tuesday the 27th day of March, 2007/6th Chaitra, 1929)

LD. 150/2006

(LD. 84/2001 of Industrial Tribunal, Kollam)

Workman/Union

The General Secretary
Punjab National Bank
Employees Union
C/o Punjab National Bank
Sherthala
Alapuzha District-688 624.

Adv. Shri Manoj R. Nair

Management

The Regional Manager
Punjab National Bank,
26-27, Raha Towers,
M.G. Road, Bangalore-1.

Adv. Shri P. Balakrishnan

AWARD

This is a reference made by Central Government under Section 10(1)(d) of Industrial Disputes Act, 1947 for adjudication. The reference is :

"Whether the action of the management of Punjab National Bank in relation to their static branch, Trivandrum in imposing the punishment of bringing down to lower stage in the scale of pay by one stage, on Smt. R. S. Jayasree, Clerk/Cashier is justified? If not, what relief the employee concerned is entitled to?"

2. The facts of the case in brief are as follows :—

Smt. R. S. Jayasree was a clerk-cum-cashier of Statute Branch, Thiruvananthapuram of Punjab National Bank. On 3-7-1999 when the workman was in charge of cashier on the allegation that she had refused to receive cash offered for remittance by a customer, she was suspended from service, charge-sheeted and an enquiry was conducted. She was found guilty and was punished by bringing down to lower stage in the scale of pay by two stages. The Appellate Authority confirmed the finding, but modified the punishment by bringing down to lower stage in the scale of pay by one stage. According to the claimant she was victimized by the Branch Manager as he had an axe to grind. On a previous occasion when the worker and the Manager were working together in another branch there was altercation between them and the Manager had abused her and she had made a complaint to higher authority and there was an enquiry. 3-7-1999 was a Saturday and there was heavy rush in the cash counter of Statute Branch.

A representative of customer, M/s. G.K. Fuel Centre had been to the branch after 12 noon to remit money. As there were many customers waiting in the queue, he was directed to approach the Assistant Manager for remittance. Accordingly the Assistant Manager accepted the money from M/s. G.K. Fuel Centre. The worker had not refused to accept money. However, in a hurry the management placed her under suspension within one hour on the ground that she had refused to accept cash from customer for remittance and disobeyed the instructions of superior officers. However no fair and proper enquiry was conducted. The Enquiry Officer was biased. The worker had requested the Enquiry Officer to call for the enquiry report concerning Manager. But it was refused by the Enquiry Officer. All the witnesses cited by the worker were not allowed to be examined. Out of the documents produced by the worker 38 documents were rejected and were not marked by the Enquiry Officer. The person examined as the complainant is not the real complainant. Without even applying the mind the disciplinary authority suspended the worker. The finding is perverse and punishment is excessive and liable to be set aside.

3. According to the management a valuable customer of the bank, M/s. G.K. Fuel Centre, Thiruvananthapuram had been to the Statue Branch of the bank on 3-7-1999 for remittance of money before 12.00 noon. He was standing in the queue. When his turn came the worker refused to accept cash and directed the customer to the Assistant Manager. The Assistant Manager redirected him to the worker. Again the worker refused to accept money. The customer made a complaint to the Manager. The Manager then advised the Assistant Manager to instruct the worker to accept money. Still the worker refused to accept the cash. Then a written instruction was given to the worker by the Assistant Manager. The worker refused to accept even the written instruction. So the Assistant Manager placed it in the tray of the cashier. Again the customer was asked to approach the cashier and offer the money. Even then the worker did not accept the money. Hence the Assistant Manager instructed another clerk to receive money. The behaviour of worker amounts to gross misconduct. A charge-sheet was given to the worker and an enquiry was conducted. The enquiry officer fully complied with the principles of natural justice, afforded reasonable opportunity to the worker to defend the charges by producing documents and examining witnesses. The management witnesses were cross-examined by the worker. It is based on the materials on record that the Enquiry Officer found the worker guilty of the charges. Considering the misconduct the Disciplinary Authority imposed the punishment of bringing down the scale of pay by two stages. However it was modified by the Appellate Authority by bringing down the scale of pay by one stage. It is true that there was a complaint made by the worker against the Manager of the bank on a previous occasion. But on enquiry

the complaint was found to be meritless and without any basis. The worker was proceeded against for her misconduct and not because of any vengeance by the Manager. The enquiry was conducted in a fair manner. There is no reason why the finding should be set aside or punishment reduced. The worker is not entitled for any relief.

4. The reference was pending before the Industrial Tribunal, Kollam initially. That court had considered the validity of enquiry as a preliminary issue on 8-4-2003 and had held that the enquiry was conducted in violation of the principles of natural justice and the findings were perverse. Thereafter the case was transferred to this court. Before this court evidence was adduced by both sides which consists of the oral testimony of WW 1 & 2 and the documentary evidence of Exts. W1 to 17 on the side of worker and MW1 to 4 and Exts. M1 & M1(a) on the side of management.

5. The remaining points that arise for consideration are:

(1) Is the worker guilty of the charge?

(2) What should be the punishment?

6. Point No. (1):

The charge against the worker, Smt. R.S. Jayasree is that on 3-7-1999 she had refused to accept cash for credit in the account of the customer, M/s. Gopalakrishna Fuel Centre, Thiruvananthapuram during business hours. Despite instruction of the Manager the worker did not accept the money from the customer. Hence she was suspended from service and an enquiry followed. In reply to the charges the worker denied the allegations in toto.

7. Since the enquiry report and proceedings were set aside by the Industrial Tribunal, Kollam by a preliminary order, the management adduced fresh evidence to substantiate the charge. Four witnesses were examined as MWs. 1 to 4 and Enquiry File, Ext. M1 and complaint given by the customer as M1(a) were marked on the side of the management.

8. MW1 is the Assistant Manager of Statue Branch where the incident happened. He was in his cabin at the time of the incident. He says that around 11.55 a.m. on 3-7-1999 a representative from M/s. G.K. Fuel Centre approached MW1 and complained that the worker had refused to take cash brought by him for remittance. He instructed the worker to receive money. But the customer again reported to MW1 that money was not received by the worker. Hence MW1 approached the Manager, MW3 and informed the matter. The latter instructed MW1 to direct the worker once again to receive money, as required by the Manager. But despite that the worker refused to receive money. Then the Manager asked MW1 to give a written instruction to the worker. A written instruction was also given to the worker. Since she refused to receive it in hand it was placed in the tray on the table of the worker. Even

then the worker did not budge. Hence arrangement was made by MW1 through MW2 clerk-cum-cashier to receive the money. MW2 received it. He says that he had heard some noise from the cash counter. When he pricked up his ears he learnt that there was some altercation between the worker and the customer. He saw the customer proceeding to MW1. The witness says that around 12.30 p.m. MW1 brought the customer to MW2 and asked MW2 to receive the cash and the remittance slip. Accordingly MW2 received the cash. It was treated as late remittance as per the practice of the bank. MW3 is the Branch Manager. He says that the customer from M/s. G.K. Fuel Centre came to him when the cashier had refused to accept cash on 3-7-1999. MW3 therefore instructed MW1 to direct the cashier to receive money. But cashier again refused to receive. Then MW1 was asked to give a written instruction to the cashier. To that also the cashier turned a deaf ear. At last the money was received through another clerk, MW2. The matter was reported to the Regional Manager who instructed MW3 to suspend the cashier immediately. MW4 is the complainant customer. He is an employee of M/s. G.K. Fuel Centre. He says that for the last 30 years G.K. Fuel Centre is a customer of management bank. On 3-7-1999 at 11.50 a.m. he reached the bank for remitting an amount of more than Rs. 1 lakh. Around 11.57-58 a.m. he tendered money to the worker, but she did not receive it, saying that the business hour was over. He complained to the manager. The Manager made arrangement to receive money through another officer of the bank. He gave a written complaint [Ext. M1(a)] to the Manager. MW4 has admitted his signature in Ext. M1(a). The worker disputed Ext. M1(a) complaint on the ground that MW4 (Thankakumar) was not the customer who had approached her to remit money. However she (WW1) admits that she had taken charge of that branch only 3 days before the incident and she was not familiar with the customers of the branch. According to her it was a busy day being the first Saturday of the month and there were lot of customers in queue at the cash counter. The signature in Ext. M1(a) is disputed. It tallies with the signature in the deposition of MW4. The worker was not able to point out any discrepancy or inconsistency in the statements of MW 1 to 4 in order to discredit those witnesses. On the other hand the worker has no consistent case.

9. Ext. M1(a) complaint mentions that the customer was standing in the queue, that there were about five other customers in the queue, that MW4 had offered cash for remittance and that on the ground that the customer was late the cashier refused to receive it. In reply to the charges the worker has stated in paragraph 8 that on 3-7-1999 around 12 noon the Assistant Manager (MW 1) had been to the cash cabin to hand over a cheque for payment. The worker had then told the Assistant Manager that nobody from M/s. G.K. Fuel Centre had turned up for cash remittance till then and since there were nearly 15-16 customers in the queue at the cash counter, assistance to receive cash from

M/s. G.K. Fuel Centre was needed. A few minutes thereafter an employee of M/s. G.K. Fuel Centre turned up for remittance of cash. There were other customers in the queue. Therefore she had told the person from M/s. G.K. Fuel Centre to meet the Assistant Manager with whom she had made arrangements to receive cash. Accordingly the customer left the cash counter and met the Assistant Manager. The money was received as late payment by MW2, another clerk. The same contentions in the reply to the charge are repeated in paragraph 7 of the claim statement. The worker denies that she had refused to receive money. However a departure from this position was made by the worker when she was in the box. In paragraph 10 of the chief examination (by proof affidavit) it is stated that after 12 noon the representative of M/s. G.K. Fuel Centre turned up to remit cash. There were 15-16 persons already in the queue. The representative of M/s. G.K. Fuel Centre attempted to bypass the queue and tender the cash. This led to commotion at the cash counter and the other customers raised objection. To avoid further problem and protest by other customers the representative of M/s. G.K. Fuel Centre was requested to meet the Assistant Manager with whom the worker had already made arrangements to receive cash from M/s. G.K. Fuel Centre. This arrangement was made because the customer used to remit large amounts in small denominations and it would take some time to count the money and also to sort out soiled notes. However she denies that she had refused to receive money. This is an improved version. If the customer had jumped the queue then in the reply to the charges or in the claim statement that fact would have been pleaded. But there is not a whisper about such a conduct on the part of the customer. Besides, according to the worker, since arrangement was already made with Assistant Manager before the arrival of the customer, to receive money through some other clerk, there was no room for any misgiving or altercation with the customer. Moreover the worker was on the look out for the particular customer as revealed from her statement. Therefore as soon as the customer turned up, he would have been directed to the Assistant Manager. If so, there was no need for jumping the queue and consequent protest by other customers or for the worker to loose her temper. Thus the version, that the customer had by passed the queue, is only an afterthought with a view to show that a scene was created by the customer and as a result the attention of other customers and staff was drawn. None of the witnesses on the management side including the complainant have admitted the version of the worker that MW4 had jumped the queue and invited the protest of other customers. MW1 (Assistant Manager) came to know about the incident only when the customer approached him. So he had not seen the incident. Naturally he has not stated that the customer had jumped the queue. MW2 is clerk-cum-cashier who received money as instructed MW1. He says that he had heard some noise from the cash counter and found that some serious talk

was going on between the cashier and the customer. Thereafter the customer proceeded to the cabin of the Assistant Manager. He has not stated that the customer had bypassed the queue. MW3 is the Manager who was sitting in the cabin at the time of the incident and he had not seen the incident. He came to know about the incident only when the Assistant Manager and the customer approached him to complain about the incident. Thus he has also not stated that the customer had bypassed the queue. MW4 is the customer. He denies that he had bypassed the queue. In his complaint also he has not stated that he had bypassed the queue. On the other hand his case is that he was standing in queue and when his turn came he tendered money, but was refused by the cashier.

10. The worker is supported only by WW2, who is another employee of the bank. He was at that time working as a computer terminal operator. According to him 3-7-1999 was a rush day for the bank. After 12.00 noon at the cash counter about 15-16 customers were standing in queue. At 12.15 p.m. a representative of M/s. G. K. Fuel Centre came to remit money. He stood in queue first and then tried to bypass the queue and tender money at the cash counter. The other customers protested. Thus the incident came to the notice of WW2. But it has come out in the cross-examination that he was sitting at the centre of the bank hall. The cashier was sitting within the cash counter enclosed by glass shutters. In front of the glass cabin a hole is provided for the customers to tender money and receive money. But WW2 says that the cashier had not refused to receive money from the customer, M/s. G.K. Fuel Centre. On the other hand the cashier had instructed the customer to meet the Assistant Manager. It is difficult to accept the version that a person who was sitting away from the cash counter in the centre of the bank hall was able to hear the conversation between the customer and the cashier. The incident would have come to his knowledge as well as that of other bank employees later. Similarly, it is not believable that WW2 had noted the time of arrival of the customer to the bank as 12.15 p.m. Moreover he has admitted that though he came to understand that there was some altercation between cashier and the customer, he had not intervened to pacify or sort out the problem as a bank employee because, according to him, the management does not like the interference of others. It confirms the fact that WW2 was sitting tight to his seat at the time of the incident. If that be so, it was all the more difficult for him to see or hear what was going on at the cash counter. These circumstances show that the version of the worker, that the customer had bypassed the queue and created a scene, cannot be correct.

11. It is strongly contended by the worker that disciplinary action is initiated in order to wreck vengeance. Paragraphs 3 to 6 of the claim statement contain such an allegation against the Branch Manager. In support of that contention, Exts. W 4 to 11 & 17 are relied on by the worker. Ext. W 4 is a complaint submitted by the worker to the

Regional Manager. The content of the complaint is that while working in another branch, the Branch Manager (MW3) had called her to his cabin on 6-12-1993 for discussion. During the discussion the Branch Manager intimidated the worker in front of another officer, Smt. Annie George that if the worker would continue to confront with the Manager, she would be kicked out of the bank. Ext. W5 is a communication by the Branch Manager to the worker dated 1-3-1997 stating that all correspondence to higher authorities must be sent through the Manager. Ext. W6 is copy of Ext. W4 complaint sent to the Regional Manager, Bangalore again on 12-3-1997 stating that nothing was heard from the Regional Manager about her complaint and hence she was forwarding a copy of the complaint again. Ext. W7 is communication by the Branch Manager to the worker stating that the Regional Manager had closed the complaint after discussion with him. Ext. W8 is a letter of Regional Manager to the worker stating that he had a discussion with the Manager and her complaint was closed. Ext. W9 is a letter from Senior Manager (Personnel) to the worker dated 19-12-1997 stating that the complaint of the worker was already considered by the Regional Manager and decision conveyed to her. Besides the Sr. Manager (Personnel) had considered her complaint and found that there was no merit in the complaint. Ext. W10 is a representation to the Chairperson of National Women's Commission, Delhi by the worker alleging the incident referred in Ext. W 4 complaint and stating that the doors of bank's higher authorities were shut against her and her grievance is not redressed. Ext. W11 is a letter dated 2-7-1998 from another Branch Manager issued to the worker saying that in pursuance to her complaint to the National Women's Commission he was directed by the Zonal Manager to investigate into the complaint and he would be visiting the branch for personal hearing. Ext. W17 is a representation to Chairman and Managing Director of Punjab National Bank by the worker reiterating the same allegation against the Branch Manager. These documents are produced by the worker to prove that the Branch Manager, MW3 is biased and he is nursing animosity against her and he was waiting for a chance to trap her. The complaint, Ext. M1(a) is a concocted one using customer, M/s. G.K. Fuel Centre as an instrument. It is due to the influence of the Branch Manager that the complaint of the worker against him was hushed up by higher authorities of the bank. At the time of argument the learned counsel for the worker had also laid stress on the motive of Branch Manager in initiating disciplinary action. It is contended that the worker as a former union secretary, had to take up the cause of employees to the Branch Manager many times and this had irritated the management, besides Ext. W4 complaint. Thus the Branch Manager had grudge against her and he was trying to settle old scores by creating a charge against her. However in the box she has no such grievance. In the cross-examination she (WW1) says :

Regarding other witnesses also she says that there is no personal enmity:

Despite so many representations to different higher authorities including Chairman of the Bank and National Women's Commission against the Manager, she does not say that Manager has personal vengeance. She is a senior staff of the bank. She was Secretary of Employees' Union. She said that she used to take up the cause of employees before the management often. Thus the worker had courage to sort out problems of her co-workers and continued to show that mettle by sending so many representations against the Branch Manager to different authorities. Yet when she mounted the box before this court she did not say that the Branch Manager was nursing animosity towards her. If the worker was convinced that the Manager was looking forward for an occasion to trap her somehow, nothing, prevented her from stating before this court that the Branch Manager was motivated to cook up a false case against her. It is not lack of courage that restrained her from speaking out, but she did not feel any prink of revenge from the part of the Manager. Thus the worker herself does not support the contention in the claim statement regarding motive. It is possible that Manager would not have taken the complaint of worker seriously. Therefore the plea that the Branch Manager harboured grudge and spite against the worker, which entailed in the disciplinary action, has no merits.

12. The evidence tendered by the management and already discussed go to show that the worker had refused to receive money from the customer on 3-7-1999 in spite of repeated directions of superior officers. Hence the management had to make alternate arrangement to receive money through another staff. Thus the misconduct on the part of the worker stands proved.

13. Point No. (2):

The Disciplinary Authority had imposed a punishment of bringing down the scale of pay by two stages. The Appellate Authority brought it down by one stage. So far as a bank is concerned its customers are the most valued persons. A banking institution will never displease a customer, especially now when there is tough competition among banks for getting business. Viewed in that perspective, the conduct of the worker cannot be tolerated

by the management. Therefore the punishment of bringing down the scale of pay by one stage is in no way excessive or disproportionate to the guilt. In the circumstances no interference is called for in the matter of punishment.

14. In the result, an award is passed finding that the action of the management in imposing the punishment of bringing down to lower stage in the scale of pay by one stage on the worker, Smt. R.S. Jayasree, is legal and justified and she is not entitled to any relief. No cost. The award will take effect one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on the 27th day of March, 2007.

P. L. NORBERT, Presiding Officer

APPENDIX

Witness for the Workman/Union:

WW1 - Smt. R.S. Jayasree

WW2 - Shri P.V. Abraham

Witness for the Management:

MW1 - Shri Padmanabhan, Assistant Manager.

MW2 - Shri Ramakrishna Iyer, Clerk-cum-Cashier.

MW3 - Shri Somasekharan Nair, Manager.

MW4 - Shri P.S. Thankakumar, Complainant.

Exhibits for the Workman/Union:

W1 - Photostat copy of C/o No. 35/99 of Punjab National Bank, Thiruvananthapuram dated 3-7-1999.

W2 - Photostat copy of direction issued to the worker by Assistant Manager dated 3-7-1999.

W3 - Photostat copy of a voucher dated 3-7-1999.

W4 - Photostat copy of letter dated 7-12-1996 sent by the worker to Regional Manager.

W5 - Photostat copy of inter-office direction issued to the worker by the Manager dated 1-3-1997.

W6 - Photostat copy of letter dated 12-3-1997 sent by workman to the Regional Manager.

- W7 - Photostat copy of inter-office correspondence issued to the workman by the Manager dated 11-4-1997.
- W8 - Photostat copy of letter dated 14-11-1997 issued by Regional Manager to the workman.
- W9 - Photostat copy of letter dated 19-12-1997 issued by Sr. Manager (Personnel) to the workman.
- W10 - Copy of the complaint dated 12-1-1998 sent by the workman to Hon'ble Chairperson, National Women's Commission, New Delhi.
- W11 - Photostat copy of letter dated 2-7-1998 issued by the Zonal Manager to workman.
- W12 - Photostat copy of letter dated 22-12-1997 issued by Branch Manager to workman.
- W13 - Photostat copy of letter dated 24-12-1997 by workman to Branch Manager.
- W14 - Photostat copy of letter dated 19-3-1993 from Quilon Paper Mart to Management Bank.
- M14(a)-Inter-office communication dated 7-4-1998 issued to workman by Branch Manager.
- W15 - Memo dated 4-1-1999 issued by Branch Manager to workman.
- W16 - Explanation submitted by Shri P.T. Thomas, Head Cashier to Manager dated 18-1-1999.
- W17 - Copy of representation dated 27-9-1999 submitted by workman to Chairman and Managing Director of Management bank.

Exhibits for the Management

- M1 - Domestic enquiry file.
- M1(a)- Complaint written by Shri Thankan to Manager, Punjab National Bank.

नई दिल्ली, 9 अप्रैल, 2007

क्र.आ. 1252.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जबलपुर के पंचाट (संदर्भ संख्या 185/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-12011/157/2001-आई. आर. (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S.O. 1252.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 185/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the

Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, received by the Central Government on 4-4-2007.

[No. L-12011/157/2001-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/185/2001

Presiding Officer : SHRI C. M. SINGH

The General Secretary,
Nationalised Bank Karmchhari Sangathan,
"Hardev Niwas", 9, Sanwer Road,
Ujjain. Union/Workmen

Versus

The Sr. (P) Manager,
Punjab National Bank,
Zonal Office, Roshanpura Naka,
Bhopal. Management

AWARD

Passed on this 27th day of March, 2007

1. The Government of India, Ministry of Labour vide its Notification No.L-12011/157/2001-IR(B-II) dated 28-11-2001 has referred the following dispute for adjudication by this tribunal :—

"Whether the action of the Punjab National Bank in imposing the punishment of reduction to a lower stage in the scale of pay by two stages upon Shri Om Prakash Raikwar is legal and justified? If not, what relief the concerned workman is entitled to?"

2. The case of workman Shri Om Prakash Raikwar in brief is as follows. That he was posted as peon in the Govindpura branch of Punjab National Bank, where Shri Rafiq Ullah, Daftry had been continuously officiating on the post of clerk since 1993. On refusal by Shri Mahesh Raikwar the peon from officiating on the post of Daftry the workman by a written order was asked to do the work of daftary. The workman had been officiating on the post of Daftry carrying an officiating allowance of Rs. 450 per month since 1993. Shri S.Chatterjee, the then Branch Manager used to depute workman on duty of cash peon from 3.30 PM. The workman requested to the Branch Manager to depute him on duty of cash peon from 10.15 AM because the officiating post of Daftry carried a special allowance more than the officiating post of cash peon. On it, the Branch Manager got annoyed with the workman and stopped taking work of Daftry from him and in this way stopped to pay the allowance of Daftry which caused a loss of Rs. 450 per month to the workman. On workman's making repeated request to depute him on the officiating

post of Daftry, the Branch Manager got a false complaint procured against him by permanent peon, Shri Mahesh Raikwar. Shri Mahesh disclosed to him that the Branch Manager by putting him under pressure and fear got a false complaint written by him on the letter pad of the Bank. Shri Chatterjee, Branch Manager framed following charges against the workman and served the same on him vide letter dated 24-2-98 :—

“That on 23-2-98 at 10 PM, you along with your two associates went to the residence of the undersigned and misbehaved with him threatened him that if he would not depute you on officiating duty, you will see him. In this regard submit your explanation within 2 days.

Sd/-
(S.Chatterjee)
Sr. Manager”

That Shri S.Chatterjee was a local circle leader of officers class at Bhopal. He wrote a letter to Shri Narendra Srivastava, Secretary of the Staff Union to suspend the workman from primary membership of the association. After getting the workman suspended from the membership of the association without any primary enquiry and explanation, suspended the workman from service. After 5 months of suspension without any back wages, Sr. Manager, Punjab National Bank, Govindpura, Bhopal framed charges of misconduct against the workman vide order dated 2-7-98 and asked him to submit explanation within a week. The workman submitted reasonable explanation. The Sr. Regional Manager being not satisfied with his explanation appointed Shri L.D.Motwani, Investigating Officer to conduct a departmental enquiry against the workman. The Investigating Officer conducted the enquiry against the workman illegally and improperly. The Regional Manager on the basis of the said enquiry report and other enquiry papers, improperly awarded punishment of reduction of pay by 2 stages “vide order dated 25-3-2000 of awarding punishment to him. The Appellate Authority without hearing his defence dismissed the appeal against the procedure laid down for the same. The suspension order dated 27-2-98 passed by the Branch Manager, Punjab National Bank, Govindpura Branch, Bhopal against the workman is against the provisions of Para-19.12(a) and 19.12(b) of bipartite settlement dated 19-10-66. The chargesheet was not served on the workman within the prescribed period of time. The workman was served with the chargesheet against the provisions of Para 19.1 of bipartite settlement dated 19-10-66. In the case of workman, the Sr. Manager, Punjab National Bank, Govindpura branch, Bhopal served the workman with the chargesheet and the order of conducting the enquiry against him was passed by the Regional Manager which is against the settled principle of procedure. According to averment made by the workman, the officer who passes the suspension order, serves with chargesheet. The same officer is generally the Disciplinary Officer. Thus in the

case of workman the settled procedure of enquiry was not followed. The enquiry was not concluded within the period of limitation. The enquiry report is not based on the statement of witnesses. The punishment awarded to the workman is not proportionate to the charges proved. More severe punishment was awarded than that was required. It is prayed by the workman that the action of PNB in imposing the punishment of reduction of a lower stage in the scale of pay by two stages from him be held illegal and improper as it is based on enquiry conducted illegally and improperly against him.

3. The management filed their Written Statement and contested the reference. Their case in brief is as follows. That the service conditions of Bank employees are governed by various awards/bipartite settlements, as amended from time to time. Chapter-19 of the bipartite settlement provides for the procedure to take disciplinary action against erring employees who commits act of misconduct as defined, in the chapter. The Bank had taken disciplinary action against workman Shri Om Prakash Raikwar in accordance with the provisions of Bipartite Settlement and in the enquiry he was given reasonable opportunity to defend himself. The punishment was imposed by the disciplinary authority having regard to the submission made in the defence and after giving a personal hearing. The action taken by the bank, is therefore, justified and no prejudice has been caused to the workman. That Shri Om Prakash Raikwar vide his representation dated 27-1-2000 requested for postponement of date of personal hearing as his defence representative was busy in some personal work. As such, another date for personal hearing was given. However due to certain administrative exigencies, the date of personal hearing was again postponed to 11-3-2000 and the same was informed to Shri Raikwar vide letter dated 28-2-2000. Shri Raikwar appeared for personal hearing on 11-3-2000. On this date before the Disciplinary Authority, he also submitted written representation during the course of personal hearing. The Disciplinary Authority again considered the entire records of enquiry proceedings along with written representations submitted by workman Shri Raikwar during personal hearing and confirmed the punishment of reduction of pay by 2 stages vide order dated 25-3-2000. Aggrieved by the said order of the Disciplinary Authority, workman Shri Raikwar preferred an appeal on 1-5-2000 with the appellate authority who after examining the entire case rejected the appeal vide order dated 14-6-2000. The punishment imposed by the Disciplinary Authority, is as per provisions of bipartite settlement applicable to workman Shri Raikwar and justified and commensurate with the misconduct committed by him. It has been pleaded on behalf of the management that as per para No.19.3(a) of bipartite settlement “When in the opinion of the management an employee has committed an offence, unless he be otherwise prosecuted, the Bank may take steps to prosecute him or

get him prosecuted and in such a case, he may also be suspended." It is prayed by the management that this tribunal may kindly be pleased to hold that the action of the Bank in inflicting punishment of reduction of a lower stage in the scale of pay by 2 years inflicted upon workman Shri Raikwar is Legal and justified and he is not entitled to any relief.

4. The order dated 3-5-05 on the ordersheet of this reference proceeding reveals that the workman submitted that he does not want to adduce any evidence. Thus the workman did not adduce any oral evidence in support of his case. The management in support of their case examined Shri V. S. Duba, then posted as Manager in the Entegrated Zonal Office of Punjab National Bank at Bhopal.

5. Both the parties filed certain documents which shall be referred in the body of this award where the need be.

6. Order dated 23-8-06 recorded on the ordersheet of this reference proceeding reveals that the workman as well as Shri Ajit Kumar Meher, HRD Officer for the management submitted that they have not to make any oral argument and therefore the reference proceeding was closed for award. The ordersheet dated 22-9-06 of this reference proceedings reveals that while I perused the record for dictating award, it came to light that a few points of record on behalf of the management are not clear. I therefore fixed 23-11-06 for hearing at camp court, Bhopal. Again the ordersheet dated 12-12-06 reveals that while perused the record for dictating award, it came to light that workman has filed Paper No. 5 dated 17-6-03 wherein it has been submitted that a case filed by him is already pending in Jabalpur Court and due to order dated 25-3-2000, by which he was communicated with an imaginary chargesheet against him by the management, he suffered the following losses. These losses have been shown to be totaling to Rs. 2,94,61,250 only. The ordersheet further reveals that the management in their Written Statement has denied those damages or losses in several paragraphs. That it appears that all what the workman has submitted in writing mentioned above and replied by the management in several paragraphs of their Written Statement is out of the scope of the terms of reference. The order further reveals that the workman has not submitted any argument in this case and no light has been thrown by the management about the alleged damages suffered by the workman. That the workman has not submitted as to in which particular court the said case is pending and for what relief. Therefore 1-3-07 was fixed for hearing of the parties at camp court, Bhopal on the above points. The ordersheet dated 1-3-07 of this proceeding reveals that the workman submitted that the application for which a claim for more than 2 crores has been asked for has no concern with this reference proceeding. Likewise Shri Simhachalam, HRD officer for management also submitted that if the paras in the Written Statement are not relevant to the averments made by the workman in his

statement of claim may not be considered. On this day, I heard the oral argument.

7. I have very carefully gone through the evidence on record.

8. In the absence of oral evidence in support of the case of workman, the case pertaining to facts averred by him in his statement of claim that the Branch Manager got annoyed with him and procured a false complaint against him by Shri Mahesh Raikwar, the peon is not proved. Likewise the other averments made by the workman in his statement of claim pertaining to facts are not proved in the absence of oral evidence. It has also been averred in the statement of claim by the workman that Shri LD. Motwani, the Enquiry Officer conducted the enquiry against him illegally and improperly. But the said averment has not been proved by any oral evidence on behalf of the workman. Likewise it is also not proved that the Regional Manager improperly awarded punishment of reduction of pay by two stages vide order dated 25-3-2000. Similarly it is also not proved that the Appellate Authority without hearing the workman's defence dismissed the appeal.

9. Against the above, case of the Management has been proved by the oral evidence of Sri V.S. Duba who has not been cross-examined by the workman.

10. It has also been averred in the statement of claim by workman that the suspension order dated 27-2-98 passed by the Branch Manager, Punjab National Bank, Govindpur Branch, Bhopal against him is against the provision of paras 19.12(a) & 19.12(b) of bipartite settlement dated 19-10-66. Para 19.12(a) runs as follows:—

"19.12—The procedure in such cases shall be as follows:

(a) An employee against whom disciplinary action is proposed or likely to be taken shall be given a charge sheet clearly setting forth the circumstances appearing against him and a date shall be fixed for enquiry, sufficient time being given to him to enable him to prepare and give his explanation so also to produce any evidence that he may wish to tender in his defence. He shall be permitted to appear before the officer conducting the enquiry, to cross examine any witness on whose evidence the charge rests and to examine witness and produce other evidence in his defence. He shall also be permitted to be defended."

I have gone through the documents filed by the parties. The copy of the chargesheet on record reveals that it was served on Shri Om Prakash Raikwar, the workman on 3-7-98 and he was given one week's time for submitting his explanation. The said copy also reveals that in the said chargesheet, the circumstances appearing against the workman were clearly set forth and sufficient time was given to the workman to enable him to prepare and give his explanation. The other enquiry papers on record clearly

indicate that the workman was given sufficient time for producing evidence that he wished to tender in his defence. The enquiry papers on record further reveal that complete opportunity was given to the workman to defend himself in the enquiry proceeding and he was given every opportunity to cross-examine the witnesses. The copies of enquiry papers on record show that the management in conducting the enquiry against the workman fully followed the provision mentioned in para 19.12(a) of the bipartite settlement.

Para—19. 12(b) of the bipartite settlement reads as under :—

“19. 12—The procedure in such cases shall be as follows:

(b) Pending such inquiry he may be suspended, but if on the conclusion of the enquiry it is decided to take no action against him he shall be deemed to have been on duty and shall be entitled to the full wages and allowances and to all other privileges for the period of suspension; and if some punishment other than dismissal is inflicted, the whole or a part of the period of suspension, may at the discretion of the management, be treated as on duty with the right to a corresponding portion of the wages, allowance, etc.”

It is very clear from the copy of suspension order Ex. W-4 on record that the workman was suspended vide order dated 27-2-98 and later on the chargesheet was given to him. It appears that the case of the workman is that he was suspended not during the pendency of the enquiry but before that which is against the provisions of Sec.19.12(b) of the bipartite settlement. The case of the management is that the workman was suspended under the provisions of para

19.3(a) of the bipartite settlement. Para 19.3(a) of the bipartite settlement reads as under :—

“When in the opinion of the management an employee has committed an offence, unless he be otherwise prosecuted, the bank may take steps to prosecute him or get him prosecuted and in such a case he may also be suspended.”

It is very clear from the show cause notice Ex. W-3 issued on behalf of the management to the workman that he was asked to submit his explanation within 2 days as to why on 27-2-98 at 10 PM, he along with two of his associates went to residence of Sr. Manager, Shri S.Chatterjee and misbehaved with him and threatened him that if he would not deputate him official duty, he would see him. The above allegations show that the workman committed an offence of misbehaving and issuing threats to the Sr. Manager at his residence for which he was rightly suspended under the provisions of Para 19.3(a) of the bipartite settlement dated 19-10-66.

11. I have gone through the photostat copies of the enquiry papers. The record reveals that the enquiry against the workman was conducted properly and legally and he was given every opportunity to defend himself. So far as punishment awarded to the workman is concerned, I am of the considered opinion that it is proportionate to the charges proved against him.

12. In view of the above, it is hereby held that the action of the Punjab National Bank in imposing the punishment of reduction to a lower stage in the scale of pay by two stages upon Shri Omprakash Raskwar is legal and justified and he is not entitled to any relief. The parties shall bear their own costs of this reference. The reference is decided accordingly.

13. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 9 अप्रैल, 2007

का.अ. 1253.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधकों के संबंध विवादों और उनकी कार्यकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अस न्यायालय नं. 1, चंडीगढ़ के पंचाट (संख्या 93/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-12012/209/2002-आई आर (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S.O. 1253.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 93/2003) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Punjab National Bank and their workman, received by the Central Government on 4-4-2007.

[No. L-12011/209/2002-IR-(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI RAMESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. ID 93/2003

Smt. Babba W/o Sh. Hamid, Vill. Anjal, P.O. Bamial, The Pathankot, Gurdaspur (Pb.)

.....Applicant

Versus

1. The Senior Regional Manager, Punjab National Bank, Bamial, regional Office, Pathankot (Punjab)

.....Respondent

APPEARANCES:

For the workman : None.
For the management : Sh. Lamber Chand.

AWARD

Passed on 31-1-2007

Central Government vide notification No. L-12012/209/2002/IR(B-II) 17-03-2003 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management Punjab National Bank represented through the Senior Regional Manager, Regional Office, Kapurthala and Branch Manager, PNB, Bamial, Pathankot in terminating services of Smt. Babbi, Sweeper W/o Shri Hamid w.e.f. 12-5-1999 without complying with the provisions of Section 25-F, 25-G and 25-H of the Industrial Dispute Act, 1947 is just and legal? If not, what relief the workman is entitled to?”

2. Case repeatedly called. None appeared on behalf of the workman despite notice. Management request for dismissing the case as workman is not appearing and appears not to be interested as she did not appear nor his authorized representative on more than 10 dates. For the last four dates she is not appearing nor his authorized representative and she is some where gainfully employed.

3. In view of above submission of the management's representative and that workman or his authorized representative not appearing for last four dates continuously and earlier also on 6/7 dates not taking any interest, it appears she do not want to prosecute her case as appears gainfully employed as per submissions of management's authorized representative. Therefore, as workman appears not to be interested in prosecution of this case and not appearing, the reference is returned to the Central Govt. for want of prosecution as appears gainfully employed. Central Govt. be informed accordingly. File be consigned to record.

Chandigarh,

31-1-2007

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 9 अप्रैल, 2007

क्र.आ. 1254.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, चंडीगढ़ के पंचाट (संदर्भ संख्या 43/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-4-2007 को प्राप्त हुआ था।

[सं. एल-12011/73/2005-आई. आर. (बी-II)]

राजिन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 9th April, 2007

S.O. 1254.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 43/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Central Bank of India and their workman, received by the Central Government on 4-4-2007.

[No. L-12011/73/2005-IR (B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. I.D. 43/2005

The President, Central Bank of India Employees Union Haryana, 129, Lal Kurti, Ambala Cant. (Haryana)-133001

.....Applicant

Versus

1. The Regional Manager, Central Bank of India, Metro Building, 106, Railway Road, Ambala Cantt. (Haryana)-133001

.....Respondent

APPEARANCES:

For the workman : None.
For the management : Sh. D. K. Gupta

AWARD

Passed on 31-1-2007

Central Govt. vide notification No. L-12011/73/2005/IR (B. II) 30-09-2005 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the Management of Central Bank of India, Ambala Cantt in non-considering the pension option scheme opted by Shri Brij Pal, Clerk, Jagadhari Branch of the bank is legal and justified? If not, to what relief the workman is entitled to?”

2. AR of the management Shri Gupta request for dismissing the case as not for workman appeared on 23-10-06, 5-12-06 and even today i.e. 31-1-2007 nor any request for date is made for workman. He appears not to be interested and management is appearing in this case throughout workman has also not filed any claim statement despite several dates passed.

3. In view of above submission of the management's Advocate Shri D.K. Gupta and my perusal of court record I have found that workman appeared through his authorized representative on 21-11-2005 and since that day till today claim statement was not filed 8 dates. It appears being a matter of non-considering the pension option scheme workman has not filed any claim statement till today. He

appears to be not interested. Hence reference is returned to the Ministry as no claim statement filed about 8 dates uptill now. Ministry be informed accordingly. File be consigned to record.

Chandigarh, RAJESH KUMAR, Presiding Officer
31-1-2007

नई दिल्ली, 11 अप्रैल, 2007

क्र.अ. 1255.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में, जिसके 80 प्रतिशत कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, निम्नलिखित कार्यालयों को अधिकृत करती है :

1. क्षेत्रीय भविष्य निधि कार्यालय, बंगलूर (कर्नाटक)
2. क्षेत्रीय भविष्य निधि कार्यालय, गुन्तूर (आंध्र प्रदेश)
3. उप-क्षेत्रीय भविष्य निधि कार्यालय, रायचूर (कर्नाटक)
4. उप-क्षेत्रीय भविष्य निधि कार्यालय, वाशी (महाराष्ट्र)
5. उप-क्षेत्रीय भविष्य निधि कार्यालय, कोल्लम (केरल)
6. उप-क्षेत्रीय भविष्य निधि कार्यालय, अकोला (महाराष्ट्र)
7. क्षेत्रीय भविष्य निधि कार्यालय, दिल्ली दक्षिण (नेहरू प्लेस)
8. क्षेत्रीय भविष्य निधि कार्यालय, मैसूर (कर्नाटक)
9. आंचलिक प्रशिक्षण संस्थान, पश्चिमी क्षेत्र, उज्जैन

[सं ई-11017/1/2006-रा.भा.नी.]

शारदा प्रसाद, संयुक्त सचिव

New Delhi, the 11th April, 2007

S.O. 1255.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union), 1976 the Central Government hereby notifies following offices, the 80% Staff whereof have acquired working knowledge of Hindi.

1. Regional Provident Fund, Office, Bangalore (Karnataka)
2. Regional Provident Fund, Office, Guntur (Andhra Pradesh)
3. Sub-Regional Provident Fund, Office, Raichur (Karnataka)
4. Sub-Regional Provident Fund, Office, Vashi (Maharashtra)
5. Sub-Regional Provident Fund, Office, Kollam (Kerala)
6. Sub-Regional Provident Fund, Office, Akola (Maharashtra)
7. Regional Provident Fund, Office, South Delhi (Nehru Place)
8. Sub-Regional Provident Fund, Office, Mysur (Karnataka)
9. Zonal Training Institute, Western Region, Ujjain

[No.E-11017/1/2006-RBN]

SHARDA PRASAD, Jt. Secy.

नई दिल्ली, 16 अप्रैल, 2007

क्र. अ. 1256.—जबकि मैकडुवेल एंड कंपनी लिमिटेड (इसके परचा प्रविधन के रूप में उल्लिखित) ने कर्मचारी भविष्य निधि एवं प्रवीण उपबंध अधिनियम, 1952 (1952 का 19) (इसके परचा अधिनियम के रूप में उल्लिखित) की धारा 17 की उप-धारा (1) के खंड (क) के अंतर्गत छूट के लिए आवेदन किया है।

2. और जबकि केन्द्र सरकार के विचार में अंशदान की दरों के संबंध में उक्त प्रतिष्ठान के भविष्य निधि नियम, उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कर्मचारियों के लिए कम अनुकूल नहीं है और कर्मचारी, उक्त अधिनियम के अंतर्गत अथवा इसी प्रकार के किसी अन्य प्रतिष्ठान में कर्मचारियों के संबंध में कर्मचारी भविष्य निधि स्कीम, 1952 (इसके परचा उक्त स्कीम के रूप में उल्लिखित) के अंतर्गत प्रदान किए जा रहे अन्य भविष्य निधि लाभों का भी फायदा उठा रहे हैं।

3. अतः, अब, केन्द्र सरकार उक्त अधिनियम की धारा 17 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और समय-समय पर इस संबंध में केन्द्र सरकार द्वारा उल्लिखित शर्तों के अधीन एतद्वारा उक्त प्रतिष्ठान को उक्त स्कीम के सभी उपबंधों के प्रचालन से 31-12-1987 से अगली अधिसूचना तक छूट प्रदान करती है।

[सं एस-35015/11/2007-एस.एस.-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 16th April, 2007

S.O. 1256.—Whereas M/s. McDowell & Company Ltd., (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (A) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby exempts the said establishment from the operation of all the provisions of the Scheme with effect from 31-12-1987, until further notification.

[No.S-35015/11/2007-SS-II]

S.D. XAVIER, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

का. आ. 1257.—जबकि मैसर्स रैन बेक्सी लेबोरेटरीज लिमिटेड (इसके पश्चात् प्रतिष्ठान के रूप में उल्लिखित) ने कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (इसके पश्चात् अधिनियम के रूप में उल्लिखित) की धारा 17 की उप-धारा (1) के खंड (क) के अंतर्गत छूट के लिए आवेदन किया है।

2. और जबकि केन्द्र सरकार के विचार में अंशदान की दरों के संबंध में उक्त प्रतिष्ठान के भविष्य निधि नियम, उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कर्मचारियों के लिए कम अनुकूल नहीं है और कर्मचारी, उक्त अधिनियम के अंतर्गत अथवा इसी प्रकार के किसी अन्य प्रतिष्ठान में कर्मचारियों के संबंध में कर्मचारी भविष्य निधि स्कीम, 1952 (इसके पश्चात् उक्त स्कीम के रूप में उल्लिखित) के अंतर्गत प्रदान किए जा रहे अन्य भविष्य निधि लाभों का भी फायदा उठा रहे हैं।

3. अतः, अब, केन्द्र सरकार उक्त अधिनियम की धारा 17 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और समय-समय पर इस संबंध में केन्द्र सरकार द्वारा उल्लिखित शर्तों के अधधीन एतद्द्वारा उक्त प्रतिष्ठान को उक्त स्कीम के सभी उपबंधों के प्रचालन से 31-12-1964 से अधिसूचना तक छूट प्रदान करती है।

[सं. एस-35015/15/2007-एस.एस.-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 16th April, 2007

S. O. 1257.—Whereas M/s. Ranbaxy Laboratories Ltd., (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby exempts the said establishment from the operation of all the provisions of the Scheme with effect from 31-12-1964, until further notification.

[No. S-35015/15/2007-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 16 अप्रैल, 2007

का. आ. 1258.—जबकि मैसर्स एन. एम. पेटिट चैरिटी फंड (इसके पश्चात् प्रतिष्ठान के रूप में उल्लिखित) ने कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (इसके पश्चात् अधिनियम के रूप में उल्लिखित) की धारा 17 की उप-धारा (1) के खंड (क) के अंतर्गत छूट के लिए आवेदन किया है।

2. और जबकि केन्द्र सरकार के विचार में अंशदान की दरों के संबंध में उक्त प्रतिष्ठान के भविष्य निधि नियम, उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कर्मचारियों के लिए कम अनुकूल नहीं है और कर्मचारी, उक्त अधिनियम के अंतर्गत अथवा इसी प्रकार के किसी अन्य प्रतिष्ठान में कर्मचारियों के संबंध में कर्मचारी भविष्य निधि स्कीम, 1952 (इसके पश्चात् उक्त स्कीम के रूप में उल्लिखित) के अंतर्गत प्रदान किए जा रहे अन्य भविष्य निधि लाभों का भी फायदा उठा रहे हैं।

3. अतः, अब, केन्द्र सरकार उक्त अधिनियम की धारा 17 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और समय-समय पर इस संबंध में केन्द्र सरकार द्वारा उल्लिखित शर्तों के अधधीन एतद्द्वारा उक्त प्रतिष्ठान को उक्त स्कीम के सभी उपबंधों के प्रचालन से 1-12-1993 से अगली अधिसूचना तक छूट प्रदान करती है।

[सं. एस-35015/12/2006-एस. एस.-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 16th April, 2007

S. O. 1258.—Whereas M/s. N. M. Petit Charity Fund (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (A) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby exempts the said establishment from the operation of all the provisions of the Scheme with effect from 1-12-1993, until further notification.

[No. S-35015/12/2006-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 18 अप्रैल, 2007

का. आ. 1259.—जबकि मैसर्स कैडिला फार्मास्यूटिकल लिमिटेड, अहमदाबाद (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) में कर्मचारी भविष्य निधि तथा प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का संख्या 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) के तहत निर्मित कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त योजना के रूप में संदर्भित) के पैरा 27क के तहत छूट के लिए आवेदन किया है।

2. जबकि चूंकि उक्त प्रतिष्ठान को उक्त अधिनियम की धारा 17(1) (क) के तहत 1-4-2004 से छूट प्रदान करने संबंधी अधिसूचना भारत के राजपत्र में 5-6-2006 को प्रकाशित की गयी थी।

3. चूंकि उक्त अधिसूचना उक्त अधिनियम के गत उपबंधों के तहत प्रकाशित की गयी थी, अतः 5-6-2006 की उक्त अधिसूचना एतद्वारा रद्द की जाती है।

[सं. एस-35015/1/2005-एस.एस.-II]

एस. डी. खेरियर, अवर सचिव

New Delhi, the 18th April, 2007

S. O. 1259.—Whereas M/s. Cadila Pharmaceuticals Ltd., Ahmedabad (hereinafter referred to as the establishment) has applied for exemption under para 27A of the Employees Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) framed under the Employees Provident Funds and Miscellaneous Provision Act, 1952, (No. 19 of 1952) (hereinafter referred to as the Act)

2. And whereas a notification granting exemption w.e.f. 1-4-2004 under Section 17(1)(A) of the said Act to the said establishment was published in the Gazette of India on 5-6-2006.

3. As the said Notification was published under wrong provision of the said Act the said Notification dated 5-6-2006 hereby stands cancelled.

[No. A-35015/1/2005-SS-II]

S. D. KHERRIAR, Under Secy.

नई दिल्ली, 20 अप्रैल, 2007

का.आ. 1260.—केन्द्रीय सरकार संतुष्ट है कि लोकहित में ऐसा अपेक्षित है कि यूरेनियम उद्योग में सेवाओं को बिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 19 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवाएं घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ब) के उपखंड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एस-11017/9/97-आई.एन. (पी.एल.)]

गुरजोत कौर, संयुक्त सचिव

New Delhi, the 20th April, 2007

S. O. 1260.—Whereas the Central Government is satisfied that the public interest requires that the services in the Uranium Industry which is covered by item 19 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) should be declared to be a Public Utility Service for the purposes of the said Act.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a Public Utility Service for the purpose of the said Act for a period of six months.

[No. S-11017/9/97-IB(PL)]

GURJOT KAUR, Jt. Secy.